City Council
101 W 10th Ave., Suite 203
Eugene, OR 97401
541-682-5010 • 541-682-5414 Fax
www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

September 18, 2023

5:30 p.m. CITY COUNCIL PUBLIC HEARING

City Council meetings will continue to be held in hybrid format using in person and virtual meeting technology. Information about online or other options for access and participation will be available at https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials

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Meeting of September 18, 2023;
Her Honor Mayor Lucy Vinis Presiding

Councilors

Randy Groves, President	Matt Keating, Vice President
Lyndsie Leech	Emily Semple
Jennifer Yeh	Alan Zelenka
Mike Clark	Greg Evans

5:30 p.m. CITY COUNCIL PUBLIC HEARING

1. **PUBLIC HEARING: An Ordinance Establishing the S-HM Historic Mims Houses Special Area Zone and Amending the Eugene Zoning Map.**

2. **PUBLIC HEARING: An Ordinance Concerning the Skinner Butte Height Limitation Area and Downtown Riverfront Special Area Zone, Amending Figures 9.3155(3) and 9.6715(3) of the Eugene Code, 1971.**

3. **PUBLIC HEARING: An Ordinance Concerning Climate Friendly & Equitable Communities Parking Standards; Amending Sections 9.0500, 9.2160, 9.2430, 9.2450, 9.2751, 9.2775, 9.3030, 9.3116, 9.3125, 9.3155, 9.3165, 9.3515, 9.3625, 9.3631, 9.3715, 9.3811, 9.3815, 9.3910, 9.3915, 9.3950, 9.3970, 9.5150, 9.5200, 9.5350, 9.5450, 9.6105, 9.6205, 9.6410, 9.6415, 9.6420, 9.6430, 9.6435, 9.6440, 9.6794, 9.6810, 9.6815, 9.6820, 9.8030, 9.8615, and 9.9500 of the Eugene Code, 1971; and Providing an Effective Date.**

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

For more information, contact the Council Coordinator at 541-682-5010,
or visit us online at www.eugene-or.gov.

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Public Hearing: An Ordinance Establishing the S-HM Historic Mims Houses Special Area Zone and Amending the Eugene Zoning Map.

Meeting Date: September 18, 2023
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Jeff Gepper
Contact Telephone Number: 541-682-5282

ISSUE STATEMENT
The City Council will hold a public hearing for a Zone Change establishing a Historic Special Area Zone (S-HM) for the Mims Houses site, located at 330, 334, and 336 High Street. A map of the subject property is provided in Attachment A and a draft of the ordinance is provided in Attachment B.

BACKGROUND
The purpose of the S-H Special Historic Zone is to recognize areas possessing distinctive buildings or features that have significance for the community and require special consideration or implementation of conservation and development measures that cannot otherwise be achieved through application of the City's standard base zones.

The proposed S-HM Historic Mims Houses Special Area Zone is for the Mims Houses property, a City Historic Landmark which is also on the National Register of Historic Places. The Mims Houses property contains two structures, the original Mims House, referred to as Mims House I, and a two-unit dwelling known as Mims House II. Establishment of a Special Historic Zone for the property will help ensure the long-term preservation of the Mims Houses property and continue the site's productive and historic role in the community. Most notably, the proposed S-HM Mims Houses Special Area Zone would permit a "Club and Lodge of State or National Organization" and "Community and Neighborhood Center" as additional permitted land uses on the property. The property is currently zoned R-2/20, Medium-Density Residential with a Residential Density Range Overlay Zone limiting the number of dwellings to 20 units per acre. Generally, the proposed S-H Special Historic Zone mirrors the development and lot standards in the R-2 Zone, except for standards regarding motor vehicle parking, minimum building setbacks, lot area, and landscaping. If adopted, the proposed zone will be implemented as an un-codified ordinance specific to this property; a draft of said ordinance is provided in Attachment B.

The criteria to establish a Special Area Zone area are set forth at Eugene Code (EC) 9.3020 and 9.8865. Draft findings demonstrating compliance with the approval criteria for this Zone Change are attached as Exhibit C to the draft ordinance (Attachment B).

More information about the proposal, including testimony received for this application to date, is available at: https://pdd.eugene-or.gov/LandUse/SearchApplicationDocuments?file=Z-23-0001

PROCEDURAL SUMMARY

This Zone Change application to establish a Historic Special Area Zone (S-HM) for the Mims Houses site (City File Z 23-1) follows the Type V procedures of the Eugene Code (EC 9.7500 – EC 9.7560). The application is subject to the approval criteria in EC 9.3020 and EC 9.8865. Due to the site-specific establishment of a Special Historic Zone, this is a quasi-judicial land use decision. The adoption process included notice to interested parties in accordance with Eugene Code. An initial public hearing was conducted on July 11, 2023, by the Eugene Planning Commission. On August 22, 2023, the Planning Commission deliberated and unanimously voted to recommend approval of the requested Zone Change. Tonight's public hearing will be followed by deliberations and potential action, which are tentatively scheduled for the October 9, 2023, City Council meeting.

A complete set of record materials for this proposed Zone Change are available for review at Planning and Development Department at 99 West 10th Avenue. The City Council has also been provided a copy of the application file and record. As a courtesy, some of the materials are also available for review online here.

PREVIOUS COUNCIL DIRECTION

May 9, 2022 Meeting

The City Council unanimously passed a motion to use up to $7,500 of Council contingency funds to pay the City application fee for the establishment of a Special Historic Zone for the Mims Houses property.

May 22, 2023 Meeting

The City Council unanimously passed a motion to initiate the Zone Change for this application, a required preliminary step in the process.

COUNCIL OPTIONS

No action is required at this time.

CITY MANAGER'S RECOMMENDATION

This item is scheduled for a public hearing only. Deliberations and potential action are scheduled for October 9, 2023.

ATTACHMENTS

A. Map of the Subject Property
B. Draft Ordinance with Exhibits:
    Exhibit A: Oregon Cultural Resource Inventory for 330 and 336 High Street
    Exhibit B: Legal Description
    Exhibit C: Findings

FOR MORE INFORMATION

Staff Contact: Jeff Gepper, Senior Planner
Telephone: 541-682-5282
Staff E-Mail: JGepper@eugene-or.gov

Mims Houses Zone Change

City File: Z 23-1

Attachment A

Proposed Special Historic Zone

Taxlots

Eugene UGB

Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Created on 5/8/2023
by City of Eugene Planning Division

0 15 30 60 Ft

NORTH

ORDINANCE NO. XXXXX

AN ORDINANCE ESTABLISHING THE S-HM HISTORIC MIMS HOUSES SPECIAL AREA ZONE AND AMENDING THE EUGENE ZONING MAP.

The City Council of the City of Eugene finds as follows:

A. Recognition of historic landmarks enhances the beautification of the City, promotes the City's economic health, and preserves the value of these properties. The regulation of designated historic landmarks provides a means to review changes to a landmark and ensure that historic and architectural values are preserved. The Mims Houses site was designated by Ordinance No. 18371 as a City of Eugene Historic Landmark on April 11, 1979.

B. An Historic Special Area Zone is desirable for the Mims Houses site to foster the continued preservation of the property by allowing appropriate uses and densities beyond those permitted in the R-2 Medium Density Residential zone and the /20 Residential Density Range Overlay Zone and by establishing appropriate development standards for the site.

C. Sections 9.3020 and 9.3450 of the Eugene Code 1971, (EC) provide that site-specific historic zones, such as the S-HM Historic Mims Houses Special Area Zone, are generally established by ordinance without codification. Copies of ordinances establishing site-specific historic zones are to be maintained at the City's Planning and Development Department.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The S-HM Historic Mims Houses Special Area Zone is hereby established and shall be subject to the following:

(a) Purpose of the S-HM HISTORIC MIMS HOUSES SPECIAL AREA ZONE. The S-HM Historic Mims Houses Special Area Zone is intended to afford the Mims Houses site special treatment and protection so that the uses permitted, and restrictions imposed, will preserve and allow for rehabilitation of the site's character-defining architectural features as an example of the Gothic Revival architectural style. For Mims House I, that style is evident in the steep gable roof and pointed arch window. The Mims House II also contains vernacular structure influenced by the Gothic Revival style with shiplap siding and a steeply pitched gable roof. Those character-defining features are described in detail in the attached Exhibit A, Oregon Cultural Resource Inventory for 330 and 336 High Street.

(b) S-HM Historic Mims Houses Special Area Zone Siting Requirements. In addition to the approval criteria at EC 9.8865 Zone Change Approval Criteria, the S-HM Historic Mims Houses Special Area Zone applies only to the parcel of land located at 330 High Street, 334 High Street, and 336 High Street, Eugene, Oregon, Assessor's Map 17-03-30-44, Tax Lot 07000, as more particularly described in the attached Exhibit B.

(c) S-HM Historic Mims Houses Special Area Zone Land Use and Permit Requirements. The following Table, S-HM Historic Mims Houses Special Area Zone Uses and Permit Requirements, identifies uses in the S-HM zone that are:

(P) Permitted

(C) Subject to an approved conditional use permit or an approved final planned unit development.

(S) Permitted subject to the Special Development Standards for Certain Uses beginning at EC 9.5000.

(#) Permitted, subject to the S-HM Mims Houses Historic Zone Special Use Limitations.

S-HM Historic Mims Houses Special Area Zone Uses and Permit Requirements	
	S-HM
Accessory Uses	
Accessory Uses. A use incidental to at least one primary use on the development site. Examples include parking, storage shed, cultural and historic events, and services provided by a primary use on the development site.	P
Agricultural, Resource Production and Extraction	
Community and Allotment Garden	P
Urban Animal Keeping (EC 9.5250 shall apply)	S
Education, Cultural, Religious, Social and Fraternal	
Church, Synagogue, and Temple	C
Club and Lodge of State or National Organization, such as the NAACP	P
Community and Neighborhood Center	P
Schools, Elementary through High School	C
University or College	C
Entertainment and Recreation	
Park and Non-Publicly Owned Open Space Use – examples include Gazebo, Arbor, Benches, Interpretive Signage, Water Fountain, and other Water Features	P
Government	
Government Services, not specifically listed in this or any other uses and permit requirements table.	P
Lodging	
Bed and Breakfast Facility (EC 9.5100(3) shall apply)	S
Manufacturing	
Recycling, small collection facility (EC 9.5650 shall apply)	S
Motor Vehicle Related Uses	
Transit, Neighborhood Improvement	P

Residential Dwellings	
Dwelling. All dwellings are subject to the S-HM Mims Houses Historic Zone Residential Density standard	
Single-Unit Dwelling	P
Accessory Dwelling (EC 9.2751(17) shall apply)	P
Duplex	P
Triplex (EC 9.5550 shall apply)	S
Fourplex (EC 9.5550 shall apply)	S
Townhouse (EC 9.5550 shall apply)	S
Cottage Cluster (EC 9.5550 shall apply)	S
Multiple-Unit Dwellings (EC 9.5500 shall apply)	S
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)	
Assisted Care	P
Day Care (4 to 16 people served) (EC 9.5200 shall apply)	S
Rooms for Rent Situations	
Boarding and Rooming House	P
Other Commercial Services	
C-1 Neighborhood Commercial Zone Permitted Uses – Uses listed as P(Permitted) or SR (subject to site review) in C-1 and which are not listed elsewhere in this Table 1. Examples include General Office, Specialty Store, and Artist Gallery.	P(1)
Home Occupation (EC 9.5350 shall apply)	S
Temporary Activity (EC 9.5800 shall apply)	S

(d) S-HM Historic Mims Houses Special Area Zone Special Use Limitations for Table 1.

(1) C-1 Neighborhood Commercial uses are permitted, subject to a maximum of 3,500 square feet on the development site.

(e) S-HM Historic Mims Houses Special Area Zone Development standards. The S-HM Historic Mims Houses Special Area Zone development standards include the General Standards for All Development beginning at EC 9.6000 and the development and lot standards for the R-2 Medium Density Residential zone unless specifically modified as set forth below. In cases of conflicts between the general standards, the R-2 zone standards, and this historic zone, the historic zone standards shall apply.

(1) Development Standards.

(a) Residential Density. A total of five dwellings are permitted within this S-HM zone. There is no minimum residential density requirement. For calculating residential density, each guest room in a Bed and Breakfast Facility and each guest room in a Rooming and Boarding House is equivalent to one dwelling.

(b) Minimum Building Setbacks. The minimum front yard setback is ten feet except for the existing building footprint of Mims House II. The minimum interior yard setback along the north property line is five feet, except for the existing building footprint of Mims House I. The minimum setback along the south and west property lines adjacent to the alleys is five feet. If the existing lot is divided, the minimum setback is five feet along any new interior property lines.

(c) Motor Vehicle Parking Standards. Uses on the site are not subject to provisions of the Eugene Code that would require a minimum number of off-street parking spaces, nor are uses on the site subject to EC 9.6420 Parking Area Standards. Parking areas in existence as of the date of this ordinance are permitted in the existing configuration.

(d) Landscape Standards. Landscape standards in EC 9.6207 – 9.6255 establish minimum landscape requirements that apply to any development in the S-HM Mims Houses Historic Zone, except: 1) building alterations, 2) site improvements not listed in Table 9.6205, 3) change of use, and 4) new off-street parking areas with four or fewer parking spaces using alley access. New landscaping is not required for the continuation of existing parking spaces on the development site.

(e) Lot Standards. The minimum lot area is 2,250 square feet or, if applicable, as specified in EC 9.2761(3). Lot width and frontage standards in EC 9.2760 and EC 9.2761 applicable to the R-2 zone shall apply.

(2) Historic Property Alteration Approval. Any building alterations or additions and all new construction shall comply with EC 9.8175 Historic Property Alteration Approval Criteria.

Section 2. The Eugene Zoning Map is amended to rezone the property located at 330 High Street, 334 High Street, and 336 High Street, Eugene, Oregon, 97401 Assessor's Map 17-03-30-44, Tax Lot 07000, and more particularly described in Exhibit B to this Ordinance, from its existing zoning of R-2 Medium Density Residential with a /20 Residential Density Range Overlay, to S-HM Historic Mims Houses Special Area Zone.

Section 3. The findings attached as Exhibit C and incorporated herein by reference are adopted in support of this Ordinance.

Passed by the City Council this

___ day of _____, 2023.

_____
City Recorder

Approved by the Mayor this

_____ day of _____, 2023.

_____
Mayor

OREGON CULTURAL RESOURCE INVENTORY
CITY OF EUGENE

ADDR: 330 HIGH ST

RANKING:Secondary
NEIGHBORHOOD: WH
TYPE: Building

FINAN. STATUS:
HISTORIC NAME: MIMS HOUSE
COMMON NAME: MIMS HOUSE
CURR. HIST. STATUS: NR
EARLY AD: 0
OWNER: Mims Family Trust
ADDR: 2767 Harris St
Eugene 97405
T/R/S# 17 3 30 SE 1/4 SE 1/4
MAP NO.: 17033044 TAXLOT: 7000
ADD: Eugene Original PlaBLK:8 LOT:4
ZONING:

DATE OF CONSTRUCTION: 1867
ORIGINAL USE: Single-Family Residence
PRESENT USE: Single-Family Residence
DATE:
ARCH./BLDR.:
ARCH./STYLE: Gothic Revival
Carpenter Gothic
INTEGRITY: Major modifications
THEME: 002 000
PROP. GROUP DIST / /

PLAN SHAPE: T-Shape w/addition #STORIES:1.5 BASEMENT (Y/N/?): N
FOUNDATION MATERIAL: Post & Pad
ROOF FORM & MATERIALS: Intersecting gables; Wood shingles
WALL CONSTRUCTION: Wood STRUCTURAL FRAME: Light wood
PRIMARY WINDOW TYPE: 1/1; Lancet S & N ; single pane fixed(alt)
EXT. SURFACING MATERIALS:Clapboard; shiplap on addition
DECORATIVE FEATURES: Frieze; Capitals on cornerboards; mullions in lancet;

OTHER: lamb's tongues.
CONDITION: Fair MOVED: N DATE MOVED:
EXT. ALTERATIONS/ADDITIONS(DATED): E. wind. Single pane fixed; major early addit. at W.; Orig. full porch replaced w/ small porch; shed addit. to South
NOTEWORTHY LANDSCAPE FEATURES: Maple; walnuts; Hydrangea; Grape; Apple; numerous perennials
ASSOCIATED STRUCTURES: Outbuilding to West (Nearly fallen, made of scrap)
KNOWN ARCHAELOGICAL FEATURES: Unknown
GEOG. LOC. & IMMED. SETTING Deep setback between houses w/ long path; Facing High St. to West; Residential area with commercial on East side of High St.
PHYSICAL DESCRIPTION: Exterior alterations cont. - Front door with Queen Anne Details.

SOURCES: N R Nomination for East Skinner Butte District;
Eugene City Directories;
Sanborn Insurance Maps.

ROLL NO.: 19
NEGATIVE NO. 005
SLIDE ROLL#: 000
SLIDE NO: 000000

RECORDED BY: J. Catlin / K. Bartoy
RESEARCHED BY: K. Guzowski
DATE RECORDED: 4/13/1994
FIELD INVENTORY NO:00000
STATE INVENTORY NO: 0 3307

OREGON CULTURAL RESOURCE INVENTORY
CITY OF EUGENE

HISTORIC NAME: MIMS HOUSE T/R/S# 17 3 30 SE 1/4 SE 1/4
ADDR: 330 HIGH ST TAXLOT: 7000

330 High Street (Mims House)

STATEMENT OF SIGNIFICANCE

The Mims House is particularly distinguished by a steep gable roof with cross-gable and pointed arch windows, representative of the Gothic Revival style of architecture. "It is the concern for the bit of trim in the elaboration of the porch. . . the occasional pointed windows, that point so clearly to the desire for something more than rude shelter among the settlers in Oregon. Pointed arches are not a very convenient form of window for an ordinary house, and they are not easily constructed. The desire to give character to the cottage is there. . ."[1] The front porch and wooden-railed balcony at the second-story level, which was reached by means of the Gothic arched door, was lost when the house was moved from 4th and High sometime between 1918 and 1921. The house, built in 1867, appears to be one of the oldest residences constructed in the East Butte area.

Although "this house is believed to have been the home of James Huddleston, one of Eugene's early settlers, no documents have been found at this time to substantiate this. Since 1892, residents of this house have been working men and women (carpenter, painter, marble cutter, logger, dressmaker, and bus boy). In 1955, C E and Annie D Mims purchased 330 High where they had been living since 1948. Annie Mims still resides there and this is without question the longest term of residency and/or ownership of this property and warrants changing the name of it from the Huddleston House to the Mims House ." [2]

[1] Downing, Andrew Jackson. Cottage Residences, Rural Architecture, and Landscape Gardening. Watkins, Glen, New York, Library of Victorian Culture, 1967.

[2] McMillan, Gail. "The Mims House," a research paper completed September 11, 1978, and on file in the Housing & Community Conservation Department, City Hall, Eugene, Oregon.

FIELD SURVEY NO: 00000
STATE INVENTORY NO: 0 3307

OREGON CULTURAL RESOURCE INVENTORY
CITY OF EUGENE

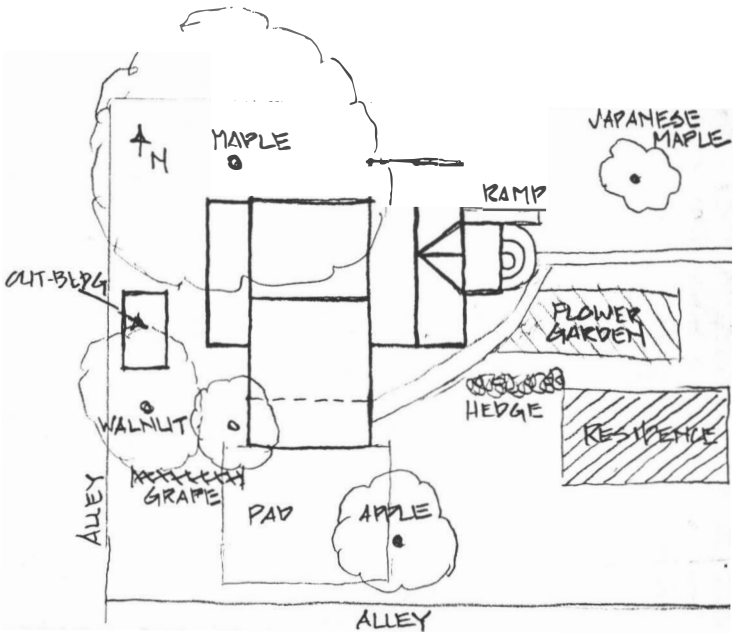
HISTORIC NAME: MIMS HOUSE
ADDR: 330 HIGH ST

T/R/S# 17 3 30 SE 1/4 SE 1/4
TAXLOT: 7000

ROLL NO: 19
NEGATIVE NO.: 005

SLIDE ROLL NO: 000
SLIDE NO. 000000

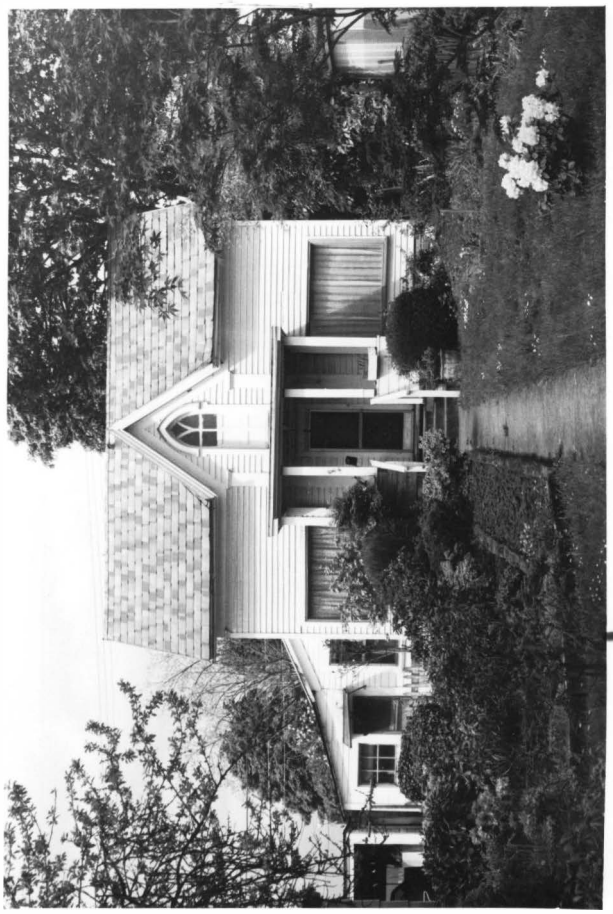
MIMS HOUSE



SITE PLAN DRAWN BY:
GRAPHIC & PHOTO SOURCES:

FIELD SURVEY NO: 00000
STATE INVENTORY NO: 0 2-87

STATE OF OREGON INVENTORY
HISTORIC SITES AND BUILDINGS State
Historic Preservation Office
Oregon State Parks, Salem, 97310



County Lane

Theme 10-A

Name
(Common) Huddleston (James) House

(Historic) (same)

Address 330 High Street

Eugene, Ore.

Present Owner

(Address)

Original Use Residence

Date of Construction c. 1860's

Physical historical significance:

This house, which is believed to be the James Huddleston residence, is a one and one-half story, wood frame house in the Gothic Revival Style. The building has a steep, gable roof and a cross gable on the east (front) elevation. A pointed (Gothic-style) door opens under the cross gable. Two new "picture" windows have been cut into the front elevation. Another Gothic style window remains on the gable end on the north elevation's second story. Various lean-tos have been attached on the west and south elevations. The condition of the structure is fair. The exterior is clapboards.

James Huddleston was born October 15, 1822, in Fayette County, Virginia. In 1850 he left for California but came to Oregon instead where he arrived October 2, 1850. Huddleston then went to the mines at Yreka for six weeks but returned and in July, 1851, settled in Eugene, Oregon. He ran a mercantile business until 1854 then became a farmer. He married Samantha Ann Davis who came to Lane County in 1847.

It is possible that this house has been resited.

Continue back if necessary

Recorded by Stephen Dow Beckham Date 18 May 1976 Sources Consulted:

For Oregon State Historic Preservation Office Walling, A.G Illustrated History of Lane County, Oregon. Portland, Ore.: A.G. Walling, 1884, p. 491.

Please enclose map Township 17 (N) (S) Range 3 (E) W Section 30

(over)

OREGON CULTURAL RESOURCE INVENTORY
CITY OF EUGENE

ADDR: 336 HIGH ST

RANKING:Primary
NEIGHBORHOOD: WH
TYPE: Building

FINAN. STATUS:
HISTORIC NAME: MIMS HOUSE II
COMMON NAME:
CURR. HIST. STATUS: NR
EARLY AD: 0
OWNER: Mims Family Trust
ADDR: 1212 S. A St.
Springfield,OR 97477
T/R/S# 17 3 30 SE 1/4 SE 1/4
MAP NO.: 17033044 TAXLOT: 7000
ADD: Eugene Original PlaBLK:8 LOT:4
ZONING:

DATE OF CONSTRUCTION: C 1880
ORIGINAL USE: Single-Family Residence
PRESENT USE: Single-Family Residence
DATE:
ARCH./BLDR.:
ARCH./STYLE: Carpenter Gothic
Vernacular
INTEGRITY: Minor modifications
THEME: 002 000
PROP. GROUP DI / /

PLAN SHAPE: L shape
#STORIES:1.5 BASEMENT (Y/N/?): N
FOUNDATION MATERIAL: Post & Stone
ROOF FORM & MATERIALS: Intersecting gable w/ shed addition; Cedar shingle
WALL CONSTRUCTION: Wood stud
STRUCTURAL FRAME: Balloon
PRIMARY WINDOW TYPE: 4/4 Double-hung
EXT. SURFACING MATERIALS:Shiplap w/ bottom beveled
DECORATIVE FEATURES: Soffit in gable; boxed eaves; cornerboard w/ cap; ball

OTHER: finials on porch corners; capped porch columns; architrave over wind.
CONDITION: Excellent
MOVED: N DATE MOVED:
EXT. ALTERATIONS/ADDITIONS(DATED): L-shaped enclosed porch to W & N; E & W porches redone
NOTEWORTHY LANDSCAPE FEATURES: Large walnut, laurel, boxwood and day lilies

ASSOCIATED STRUCTURES: None
KNOWN ARCHAELOGICAL FEATURES: Unknown
GEOG. LOC. & IMMED. SETTING House faces E. on High St.; Residential to North, Commercial to South

PHYSICAL DESCRIPTION: Porch step appropriate to period of house; Paned front door w/ recessed panels; Two 4-paned casements on N & W sides

SOURCES: N R Nomination for East Skinner Butte District;
Eugene City Directories;
Sanborn Insurance Maps.

ROLL NO.: 19
NEGATIVE NO. 003
SLIDE ROLL#: 000
SLIDE NO: 000000

RECORDED BY: A Welsh & K Guzowski
RESEARCHED BY: K. Guzowski
DATE RECORDED: 4/12/1994
FIELD INVENTORY NO:00000
STATE INVENTORY NO: 0 3388

OREGON CULTURAL RESOURCE INVENTORY
CITY OF EUGENE

HISTORIC NAME: MIMS HOUSE II
ADDR: 336 HIGH ST
T/R/S# 17 3 30 SE 1/4 SE 1/4
TAXLOT: 7000

336 High

STATEMENT OF SIGNIFICANCE

Although the East Skinner Butte neighborhood was the first platted in Eugene, frequent flooding forced its quick abandonment in favor of a more sheltered site south of Skinner Butte. The neighborhood began filling in as a residential enclave as the city grew to the north, and by the turn of the century it was a neighborhood of generous lots and homes both grand and modest.

The house now standing at 336 High is said to have been built in 1879, making it the oldest house in East Skinner Butte on its original site. The 1879 date is consistent with the style and detailing of the house. City directories do not help illuminate the early history of the house, yielding no occupant until 1902, when owner H. D. Offutt, a local painter, lived here with his wife. John Dixon, whose family occupied several houses on this side of High at various times, lived here around 1910. Although the porches have been replaced and other minor changes have been made, the house is nearly intact and in good condition.

FIELD SURVEY NO: 00000
STATE INVENTORY NO: 0 3388

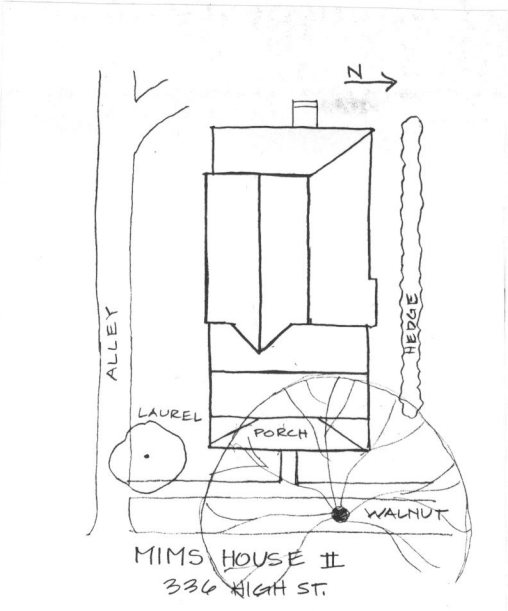
OREGON CULTURAL RESOURCE INVENTORY
CITY OF EUGENE

HISTORIC NAME: MIMS HOUSE II
ADDR: 336 HIGH ST

T/R/S# 17 3 30 SE 1/4 SE 1/4
TAXLOT: 7000

ROLL NO: 19
NEGATIVE NO.: 003

SLIDE ROLL NO: 000
SLIDE NO. 000000



SITE PLAN DRAWN BY:AWKG
GRAPHIC & PHOTO SOURCES:

FIELD SURVEY NO: 00000
STATE INVENTORY NO: 0 3388

EXHIBIT B

LEGAL DESCRIPTION

Lot 4, Block 8 of the original plat of Eugene City, as platted and recorded in Volume A, Page 2 of Lane County, Oregon.

Zone Change Findings

Exhibit C

File Name (Number):	Mims Houses (Z 23-1)
Subject Site:	330, 336, and 334 High Street, Eugene, OR 97401
Map No. / Tax Lot:	17-03-30-44 / 07000
Size:	Approximately .29 acres or 12,800 square feet
Existing Zoning:	Medium-Density Residential Zone (R-2) & Residential Density Range Overlay Zone (/20)
Requested Zoning:	S-HM Historic Mims Houses Special Area Zone

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Application Summary

The applicant requests the establishment of a S-HM Historic Mims Houses Special Area Zone for the Mims Houses property (located at 330, 334, and 336 High Street).

Application Details and Procedure

The applicant is requesting approval for a Zone Change to zone the entirety of the approximately 0.29-acre site to S-HM Historic Mims Houses Special Area Zone. The subject property contains two buildings (identified as Mims House I and Mims House II) on the National Register of Historic Places and designated as a City of Eugene Historic Landmark. The subject parcel is surrounded by a mixture of R-1 and R-2 zoned properties.

Timing, Notice, and Testimony

Application Timeline	**Application Submitted**	February 14, 2023
	Deemed Complete	June 8, 2023
	DLCD Notice	June 6, 2023
	Public Notice (per EC 9.7315)	June 9, 2023
	Planning Commission Public Hearing	July 11, 2023
	Planning Commission Deliberation	August 22, 2023

Testimony

Twelve pieces of testimony were received in reference to this proposal. The majority of the written testimony is supportive. Testimony is available in the application file for reference.

Public Notice and Referrals

Public notice was provided in accordance with the requirements of Eugene's Land Use Code. The Planning Division also provided information concerning the application to appropriate City departments, public agencies, neighborhood organization, and service providers. All referral comments received by the Planning Division on this application are included in the application file for reference. The substance of any relevant referral comments is addressed in the context of applicable approval criteria and standards in the following evaluation.

Zone Change Evaluation

In accordance with EC 9.7535 and EC 9.7550, the Eugene Planning Commission and City Council are required to provide a recommendation or decision of approval, approval with conditions, or denial of a Type V application. The recommendation and decision must be based on findings that explain the criteria and standards considered relevant to the proposal. It must also state the facts relied upon in rendering the decision and explain the justification for the recommendation or decision based upon the criteria, standards, and facts set forth.

The Planning Commission and City Council will review the application and consider relevant evidence and testimony as to whether the proposed Zone Change is consistent with EC 9.3020 and EC 9.8865 required for approval, shown below in **bold** typeface. To assist the Planning Commission or City Council in making a recommendation or decision on the Zone Change request, staff's findings in response to each of the criteria are provided below.

EC 9.3020 Criteria for Establishment of an S Special Area Zone. Before adopting an ordinance establishing a S Special Area Zone, the city council shall find that the proposal is in compliance with following criteria:

(1) The area to which the S Special Area Zone is being applied meets at least one of the following criteria:

(a) Is identified in the Metro Plan or a refinement plan as appropriate for nodal development or for a special range of uses or development that can best be achieved with the use of a special area zone; or

(b) Possesses distinctive buildings or natural features that require special consideration to ensure appropriate development, preservation, or rehabilitation. In order to be considered distinctive, it must be demonstrated that:

1. The area is characterized by buildings that merit preservation in order to protect their special features; or

2. The area contains natural features that have been identified by the city as worthy of special treatment or preservation.

The Mims Houses is listed on the National Register of Historic Places and designated by the City of Eugene as a City Landmark. The findings of the National Historic Register, City Landmark designation, and the applicant's written statement, which are included herein by reference, demonstrate this site's significant historic value and merits preservation due to its distinctive architecture and association with Eugene's past.

(2) An analysis of the area demonstrates how the uses and development standards of the S Special Area zone ordinance will facilitate implementation of the planned use of the property or the preservation or rehabilitation of distinctive buildings or natural features of benefit to the community.

The proposed uses and development standards for the S-HM Historic Mims Houses Special Historic Area Zone are set forth in proposed draft ordinance provisions, to which these supporting findings are attached. The purpose of the Historic Special Area zone is to encourage preservation of the site's historic qualities and support the site's use as the regional headquarters of the NAACP (Mims House I), duplex residence (Mims House II), and the site of historic and cultural events.

The proposed uses of the S-HM Historic Mims Houses Special Area Zone are a combination of residential and non-residential uses stemming from a tabulation of uses listed within the R-2 Medium-Density Residential zone and C-1 Neighborhood Commercial zone. In summary, the proposed S-HM zone differs from the R-2 zone use table at EC 9.2740 as the S-HM Zone does not allow Manufactured Home Parks, Controlled Income and Rent Housing, Assisted Care (6 or more living in the facility), and Day Care (17 or more people). The use listed as Boarding and Rooming House is added to the list of allowed S-HM uses. Proposed site changes due to existing or future uses will continue to be subject to the City's Historic Property Applications, including: Historic Property – Alteration Approval Criteria review starting at EC 9.8175; Historic Landmark – Removal of Designation Approval Criteria starting at EC 9.8170; Historic Property – Demolition Approval Criteria starting at EC 9.8180; and Historic Property – Moving Approval Criteria starting at EC 9.8185. Subject to historic review, the residential uses in the proposed zone, as stated by the applicant, facilitate the preservation of the existing buildings and accommodate for the intended uses of the site.

New, non-residential land uses are permitted within the S-HM Zone. Additionally, non-residential uses with amended review procedures are permitted in the S-HM Zone. New and amended non-residential uses include: Club and Lodge of State or National Organization; Park; Community and Neighborhood Center; Bed and Breakfast Facility; and Neighborhood Commercial Uses (only those already Permitted or subject to Site Review in C-1). Eliminated non-residential uses include Athletic Facility and Sports Club, Athletic Field outdoor, Correctional Facility, Residential Treatment Center, Amateur Radio Antenna Structure, Electrical Substation, Fiber Optic Station, Telecommunications Tower, Water Reservoir, and Minor Transit Station.

The applicant states the zone change amendments of residential and non-residential uses within the S-HM Historic Mims Houses Special Area zone will "allow long-term flexibility in the use of the property to support preservation and renovation of the historic buildings." Further, the applicant states "Due to the size of the site and the scale of the existing historic buildings requiring a CUP for the above uses would cause an excessive financial burden on the property owner and decrease flexibility. In addition, the proposed S-H zone limits C-1 uses to a total of 3,500 square feet on the site to ensure the scale fosters historic preservation goals." The introduced, amended, or deleted residential and non-residential uses as proposed in the S-HM Zone facilitate the existing and intended (both immediate and future) uses of the site. The

applicant's written statement with additional findings (pages 9-11) regarding this criterion are incorporated herein by reference.

The S-HM Historic Mims Houses Special Area Zone contains amended development and lot standards that facilitate preservation of elements within the subject property. Historic property review approval criteria starting at EC 9.8150 remain applicable for review of proposed changes. The proposed S-HM Zone includes the following development standards to facilitate preservation: residential density, minimum building setbacks, motor vehicle parking (both the number of off-street motor vehicle parking spaces and motor vehicle parking space dimensions), and landscape standards in addition to lot standards.

The subject property is currently zoned R-2/20 Medium-Density Residential zone with a Residential Density Range Overlay zone that limits the property to no more than 20 units per net acre. Given the size of the property and the residential density limitation, it could currently be developed with 5 dwelling units. The applicant proposes the same maximum net density (i.e. 5 dwellings on the subject property) within this proposed S-HM Zone as the maximum unit net density threshold in the existing R-2/20 zone.

EC 9.2751(1)(f) states the number of dwelling units are not to be reduced below the number present at the time of historic landmark designation. The site earned City of Eugene City Landmark status on April 11, 1979, by Ordinance Number 18371. At that time, the site contained two dwellings. The R-2 Medium-Density Residential zone minimum density is 13 units per net acre. The applicant states the S-HM site "does not require the retention of residential use on the site to help ensure long-term preservation of the historic buildings." Further, the draft S-HM Zone provisions state that "the site does not have a minimum residential density requirement." At the time the subject site was designated as a City Landmark, two dwellings existed on the property (i.e., below the minimum net density threshold for the R-2 zone). However, in accordance with EC 9.2751(1)(a)2., the minimum density requirements of Table EC 9.2750 do not apply to this property because it zoned R-2 and is less than one-half acre in size. Therefore, consistent with the lack of minimum density requirements for the subject property, the proposed code eliminates any minimum density requirements. Finally, the proposed S-HM Zone, as implemented by this zone change review, supersedes the R-2 development standards.

Given the above findings, the proposal complies with this criterion.

(3) Except for areas zoned S-H Historic Special Area zone, the area to be classified S Special Area includes at least ½ acre in area.

This request proposes the establishment of an S-H Historic Special Area zone. This criterion is not applicable.

(4) The application of the zone to the properties proposed for inclusion in the S Special Area zone and the required provisions of a special area zone ordinance are consistent with the criteria required for approval of a zone change, according to EC 9.8865 Zone Change Approval Criteria.

Except for ordinances establishing individual site-specific historic zones, copies of which are maintained at the City's planning and development department, all existing Special Area Zones are set forth in the City's land use code. EC 9.8865 requires that the zone change request meets the following approval criteria (listed in **bold**). Findings are provided below with respect to each of the applicable criteria.

EC 9.8865 Zone Change

> **(1): The proposed change is consistent with applicable provisions of the Metro Plan. The written text of the Metro Plan shall take precedence over the Metro Plan diagram where apparent conflicts or inconsistencies exist.**

The applicant is requesting approval to change the subject property's zoning from R-2 /20 to S-HM. The Metro Plan diagram designates the subject property as Medium Density Residential. However, the Metro Plan recognizes that approximately 32 percent of residentially designated areas typically accommodate non-residential uses such as parks, schools, churches and neighborhood commercial uses (page III-A-4). The proposed Special Area Zone includes a list of limited residential and non-residential uses consistent with the Metro Plan's consideration of other auxiliary uses within residential designations. Staff does not see any specific policies from the Metro Plan that would serve as mandatory approval criteria for the applicant's request. However, relevant policies are discussed below.

Residential Land Use and Housing Element

Policy A.22: Expand opportunities for a mix of uses in newly developing areas and existing neighborhoods through local zoning and development regulations (Page III-A-9)

The proposed Special Area Zone expands opportunities on this property by allowing for residential or commercial uses, consistent with this policy.

Policy A.25: Conserve the metropolitan area's supply of existing affordable housing and increase the stability and quality of older residential neighborhoods through measures such as revitalization; code enforcement; appropriate zoning; rehabilitation programs; relocation of existing structures; traffic calming; parking requirements; or public safety considerations. These actions should support the planned densities in the area. (Page III-A-11)

The proposed zoning helps preserve existing onsite dwellings by assuring uses and development standards that are appropriate for this historic site.

Policy A.9: Establish density ranges in local zoning and development regulations that are consistent with the broad density calculations of this plan.

> *Low density: Through 10 dwelling units per gross acre…*
> *Medium density: Over 10 through 20 dwelling units per gross acre…*
> *High density: Over 20 dwelling units per gross acre…*

This policy sets forth the "gross density", which is the number of dwelling units per acre including areas such as streets, parks, sidewalks and public facilities. However, Eugene's land use code also utilizes "net density", which is the same calculation except that it only calculates land in residential use and excludes areas such as dedicated streets, parks, and other public facilities. For this reason, the gross density included in the policy above was recalculated and adopted into the land use code as net density, which was set at a higher rate to account for the lack of additional area (i.e. streets, parks, and public facilities) in the calculation.

The S-HM Zone establishes a maximum net density standard consistent with the objective to facilitate preservation of onsite elements. The S-HM Zone net density threshold meets the proposed maximum density of the "Medium Density" range established by the Metro Plan but does not meet the minimum net density threshold. Instead, the minimum net density standard is zero to allow for flexibility to meet the historic zone's preservation objectives as described in detail at EC 9.3020(2) of these findings and incorporated herein. Additionally, as discussed above, the minimum net density requirements of the Eugene Code do not apply to the subject property due to the size of the property.

As described at EC 9.8865(1) above, the Metro Plan permits non-residential uses within residentially designated areas under certain circumstances. As the S-HM Zone proposed a unique combination of both residential and non-residential uses and cannot be described as entirely residential or commercial, the S-HM Zone supports Policy A.9 by establishing a maximum net density range that is below the 20 dwelling units per gross acre "Medium density" residential maximum, while accommodating for a future scenario in which non-residential uses are supported by allowing a minimum net density standard of zero units per net acre. As the proposed S-HM Zone contains density thresholds that are broadly within the "Medium density" category of density range, the proposal is consistent with this policy.

Historic Preservation Element

Policy 1.1: Adopt and implement historic preservation policies, regulations; and incentive programs that encourage the inventory, preservation, and restoration of structures: landmarks; sites; and areas of cultural, historic or archeological significance, consistent with overall policies. (Page 111-1-2)

The Mims Houses site is historically significant as the site holds Mims House I and Mims House II, both registered on the National Register of Historic Places. The adoption of this Historic Special Area Zone implements regulations that protect the historic value of the Mims Houses site by providing site specific development standards and uses that encourage preservation and restoration.

Policy 1.2: Institute and support projects and programs that increase citizen and visitor awareness of the area's history and encourage citizen participation in and support of programs designed to recognize and memorialize the area's history.

The S-HM Zone will help increase citizen and visitor awareness by expanding the site's set of uses to facilitate opportunities for visitor engagement with the property. This S-HM Zone will

allow visitors to be made aware of the building's role in the history of the area and memorialize the Mims Houses' tie to the area's past.

Based on the available information, the request complies with this criterion.

(2): The proposed zone change is consistent with applicable adopted refinement plans. In the event of inconsistencies between these plans and the Metro Plan, the Metro Plan controls.

The Whiteaker Plan is the applicable adopted plan for the area of the requested zone change. Consistent with the Metro Plan, the Whiteaker Plan designates the subject site as Medium-Density Residential. The applicant notes that the land use diagram, and policies from the Whiteaker Plan are generally supportive of their application. However, there do not appear to be any polices from Whiteaker Plan that serve as mandatory approval criteria for the requested zone change.

Based on the available evidence, and findings above, the applicant's request is consistent with the applicable refinement plans and this criterion is met.

(3): The uses and density that will be allowed by the proposed zoning in the location of the proposed change can be served through the orderly extension of key urban facilities and services.

Key urban facilities and services are defined in the Metro Plan as: wastewater service, stormwater service, transportation, solid waste management, water and electric service, fire and emergency medical services, police protection, City-wide parks and recreation programs, land use controls, communication facilities, and public schools on a district-wide basis (see Metro Plan page V-3).

Wastewater:
The existing structures are currently connected to the public main line available in High Alley.

Stormwater:
Stormwater catch basins are in the High Alley right-of way, southwest of the subject property. A public storm sewer line exists in the right-of-way of East 4th Avenue to the south of the property and another line is within High Street with curb and gutter for conveyance to the public system. In the event of future development, applicants may be required to address all applicable stormwater management standards including flood control, water quality, oil control, easements, and operation and maintenance.

Transportation/Streets:
Both High Street and East 4th Avenue are fully developed with adequate paving and right-of way, as well as bike paths, setback sidewalk, street trees and ADA ramp on the corner. This proposal can be served by the existing street configuration and access points.

Solid Waste:
Collection service is provided by private entities. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Water and Electric:
The properties have existing services or access to services for water and electrical services, operated by Eugene Water and Electric Board (EWEB). Any future development will require coordination with EWEB to ensure that water and electric services comply with City standards and EWEB requirements.

Public Safety:
Police protection is provided by Eugene Police Department within the City limits. Fire protection is provided by Eugene/Springfield Fire Department. Emergency services are currently provided on a regional basis by the cities of Eugene and Springfield.

Parks and Recreation:
Specific to the subject property, the following parks and recreation amenities are in the general vicinity of the subject property: Skinner Butte Park, Campbell Community Center, Ruth-Bascom Riverbank path. Further, Eugene Parks and Recreation programs are provided on a City-wide basis.

Planning and Development Services:
Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, provides the land use controls for future development of the subject property.

Communication:
A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area. These services are accessible for future development.

Public Schools:
The subject property is within Eugene School District 4J and is within the district boundary of Edison Elementary School, Roosevelt Middle School, and South Eugene High School.

Based on these findings, this criterion is met.

(4): The proposed zone change is consistent with the applicable siting requirements set out for the specific zone in:

(v) An uncodified ordinance establishing a site specific S-H Historic Special Area Zone, a copy of which is maintained at the city's planning and development department.

The proposed zone change establishes a site specific S-H Historic Special Area Zone. Criteria to establish this zone begin at EC 9.3020 and are addressed above. The uncodified ordinance, if

adopted, will be maintained at the City's Planning and Development Department consistent with this criterion. This criterion is met.

> **(5): In cases where the NR zone is applied based on EC 9.2510(1)(b), the property owner shall enter into a contractual arrangement with the city to ensure the area is maintained as a natural resource area for a minimum of 50 years.**

The applicant is not requesting the NR zone and the subject site is not located in an area that would otherwise require the application of the NR zone. Based on the available information and evidence, this criterion is not applicable.

Transportation Planning Rule (TPR)

Staff finds that Goal 12 Transportation of the Statewide Planning Goals, adopted by the Land Conservation and Development Commission (LCDC), must be specifically addressed as part of the requested zone change and in the context of Oregon Administrative Rules, as follows.

As adopted, OAR 660-012-0060(1) states:

> **(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9), or (10) of this rule. A plan or land use regulation amendment affects a transportation facility if it would:**

The applicant requests a zone change from R-2/20 to S-HM for 330, 334, and 336 High Street, also identified as Tax Lot 7300 of Assessor's Map 17-03-30-44. The properties included in this proposal are bounded by High Street, High Alley, and East 3rd Alley. The subject property is approximately .29 acres.

The applicant's consultant prepared a scoped transportation analysis that references projected trip generation from a reasonable worst-case development scenario. The consultant compared assumed uses, densities, and buildout outcomes consistent with the existing zone and the proposed uses of the S-HM Zone. The applicant has provided an analysis consistent within the parameters of the agreed scope of work and using industry best practices.

Public Works staff concurs with the consultant's methodology, traffic study, and findings to determine that this proposal has no significant effect on existing or planned transportation facilities. A detailed discussion of the study and conformance with the TPR is addressed below.

> **(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**

The applicant has provided a transportation technical memo consistent with the requirements for TPR Analysis as coordinated between the City of Eugene and the applicant. The analysis is written to uphold industry best standards. The applicant's traffic study identified an increase in

the average daily traffic. The increase in average daily trips is not expected to require a change in the functional classification of any street within the study area. The applicant has not proposed any changes to the functional classification of any roadway within the study area.

(b) Change standards implementing a functional classification system; or

The zone change does not propose to change the standards implementing the current functional classification system adopted in the City of Eugene 2035 TSP. The current TSP (City of Eugene 2035 Transportation System Plan) and street classification map were developed and adopted assuming City wide transportation impacts based upon the policy, designations, planning horizons and growth assumptions identified in the Metro Plan at the time of its adoption. The proposed zone change does not change the standards implementing the current functional classification system adopted in the City of Eugene 2035 TSP.

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

The applicant's engineer has provided an analysis based upon the projected impacts of the proposed zone change. The study provides trip generation estimates for reasonable worst-case scenarios of the proposed zone as compared to trip generation estimate of the existing zone. A "significant effect" on existing or planned transportation facilities is defined by the criteria identified in subsections (A) through (C). The proposed zone change results in none of the effects identified in subsections (A) through (C). The proposal does not include, and the

proposal does not require, an enforceable, ongoing requirement that would demonstrably limit traffic generation.

Therefore, staff agrees with the applicant's findings that this proposal has no significant effect on existing or planned transportation facilities as defined within OAR 660-012-0060(1). Therefore, the proposed zone change satisfies the Transportation Planning Rule.

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Public Hearing: An Ordinance Concerning the Skinner Butte Height Limitation Area and Downtown Riverfront Special Area Zone, Amending Figures 9.3155(3) and 9.6715(3) of the Eugene Code, 1971.

Meeting Date: September 18, 2023 Agenda Item: 2
Department: Planning and Development Staff Contact: Dylan Huber-Heidorn
www.eugene-or.gov Contact Telephone Number: 541-682-5475

ISSUE STATEMENT
The City Council will hold a public hearing on a land use code amendment to increase the maximum building height for a single parcel located within the Skinner Butte Height Limitation Area to allow for additional development opportunities downtown. The amendment proposes increasing the maximum building height on the parcel located on the southeast corner of the intersection of 4th Avenue and High Street. The subject property's allowable building height is governed by the Skinner Butte Height Limitation Area and the S-DR Downtown Riverfront Special Area Zone Height Regulating Plan. The proposed amendment would increase the allowable building height from 500 feet above sea level (approximately 70 feet above grade) to 530 feet above sea level (approximately 100 feet above grade). A draft of the proposed ordinance is provided as Attachment A.

BACKGROUND
The Skinner Butte Height Limitation Area (defined in Eugene Code (EC) 9.6715) is a height limitation area in the land use code that applies to properties located between the Willamette River and 6th Avenue, and between Washington Street and Coburg Road. It was established to maximize the views to and from Skinner Butte as a reaction to the construction of Ya-Po-Ah Terrace, Eugene's tallest building.

The Skinner Butte Height Limitation Area restricts the height of buildings, accessory roof structures, and architectural features. In 2018, the City Council approved an increase in the allowable building height for properties within the Skinner Butte Height Limitation Area located on the southern half-block between 5th and 6th Avenues from Washington Street to Coburg Road. Earlier this year, the City Council approved an amendment for similar increases in allowable building height on several additional lots north and south of 5th Avenue near Oak Street.

In 2018, the City's Urban Renewal Agency purchased approximately 17 acres of vacant riverfront land from Eugene Water and Electric Board, including the property that is the

subject of this application. The subject property is proposed to be developed as one of the early projects of the Eugene River District, a project by Atkins Dame in coordination with the City to build up the former industrial riverfront area as the Downtown Riverfront, a neighborhood of housing and commercial uses.

The proposed development would be the project within the Downtown Riverfront located closest to the already highly developed 5th Avenue corridor and market district. The developer is proposing to construct a seven-story structure on the currently vacant property and has applied for a Multi-Unit Property Tax Exemption from the City for this project. The current restrictions of the Skinner Butte Height Limitation Area do not allow for the intended building heights and by extension limit the possible residential unit density. The subject property has a ground grade of approximately 430 feet above sea level, creating an effective height limit of approximately 70 feet. The S-DR code allows an additional 12 feet of height for rooftop equipment and architectural features, and the proposed code language retains that allowance.

The Eugene Downtown Plan includes numerous policies to promote density in the Plan area, including an element focused on developing the riverfront to connect Eugene's downtown to the Willamette River. The Plan also identifies a list of development opportunity areas which features "Midgely's block", which includes this parcel and is currently the western extent of the Downtown Riverfront. An update to the Skinner Butte Height Limitation Area and the S-DR zone pertaining to additional building height for the subject property has the potential to achieve several Downtown Plan objectives and policies.

The City's Community Development Division of the Planning and Development Department applied for this code amendment on June 28, 2023.

Procedures/Applicable Approval Criteria
This proposed site-specific land use code amendment is subject to the Type IV (quasi-judicial) application procedures (EC 9.7400 through EC 9.7455) for the upcoming public hearing as well as the applicable approval criteria from EC 9.8065 for a land use code amendment. The Type IV process includes public notice and a hearing before the Planning Commission, which then forwards a recommendation to the City Council. The City Council will hold its own public hearing and ultimately make a final decision on the proposed amendment.

Land Use Code Amendment Process
The Eugene Planning Commission held a public hearing on the proposed land use code amendments on August 15, 2023. Notices of the Planning Commission public hearing were mailed and posted in accordance with the Type IV procedures from the Eugene Code. At the Planning Commission public hearing, three people testified. Will Dowdy, City of Eugene Community Development Director, gave testimony as the applicant for the code amendment. Rex Ingram, Senior Project Manager and Architect for Holst Architecture and a representative of the project currently proposed for the subject property, gave testimony supportive of the amendment. Michele Malloy gave testimony opposing the amendment, citing the importance of

views to Eugeneans' perception of the city and the natural environment. No written testimony was received prior to the hearing. On August 15, 2023, the Eugene Planning Commission voted unanimously to recommend approval of the proposed land use code amendment.

No written testimony had been received as of the time of writing of this AIS. Testimony received following September 6, 2023, will be provided to Councilors electronically and included in the complete set of record materials available in a binder located in the City Council Offices.

Notice of the City Council public hearing was mailed on September 8, 2023, to the owners and occupants of the subject property, anyone who submitted written or oral testimony in a timely manner during the Planning Commission hearing procedures, and anyone who requested notice of the Planning Commission's recommendation.

A complete set of record materials for this proposed land use code amendment are available for review at the Planning and Development Department at 99 West 10th Avenue. As a courtesy, some of the materials are also available for review online at https://pdd.eugene-or.gov/LandUse/SearchApplicationDocuments?file=CA-23-0002.

RELATED CITY POLICIES
Findings of compliance with the City's relevant adopted land use policies, as well as Statewide Planning Goals and other approval criteria for these land use code amendments, are included as with the draft ordinance in Exhibit C of Attachment A.

PREVIOUS COUNCIL DIRECTION
None.

COUNCIL OPTIONS
No action is required at this time.

CITY MANAGER'S RECOMMENDATION
This item is scheduled for a public hearing only. Possible action is scheduled for October 11, 2023.

ATTACHMENTS
A. An Ordinance Concerning the Skinner Butte Height Limitation Area and the Downtown Riverfront Special Area Zone, Amending Figures 9.3155(3)(A) and 9.6715(3) of the Eugene Code, 1971.
   a. Exhibit A – Figure EC 9.6715(3)
   b. Exhibit B – Figure EC 9.3155(3)
   c. Exhibit C – Findings

FOR MORE INFORMATION

Staff Contact: Dylan Huber-Heidorn, Development Analyst
Telephone: 541-682-5475
Staff E-Mail: dhuber-heidorn@eugene-or.gov

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE SKINNER BUTTE HEIGHT LIMITATION AREA AND THE DOWNTOWN RIVERFRONT SPECIAL AREA ZONE, AMENDING FIGURES 9.3155(3)(A) AND 9.6715(3) OF THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Figure 9.3155(3)(a) is amended as shown in Exhibit A to this Ordinance.

Section 2. Figure 9.6715(3) is amended as shown in Exhibit B to this Ordinance.

Section 3. The findings set forth in Exhibit C attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 4. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended, or repealed herein.

Section 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof. Further, if this Ordinance is remanded back to the City Council for further action by the Oregon Land Use Board of Appeals, those sections, subsections, sentences, clauses, phrases, or portions that do not require action on remand shall be deemed separate, distinct, and independent provisions and such remand shall not affect their validity or effect.

Passed by the City Council this

_____ day of _____, 2023

_____
City Recorder

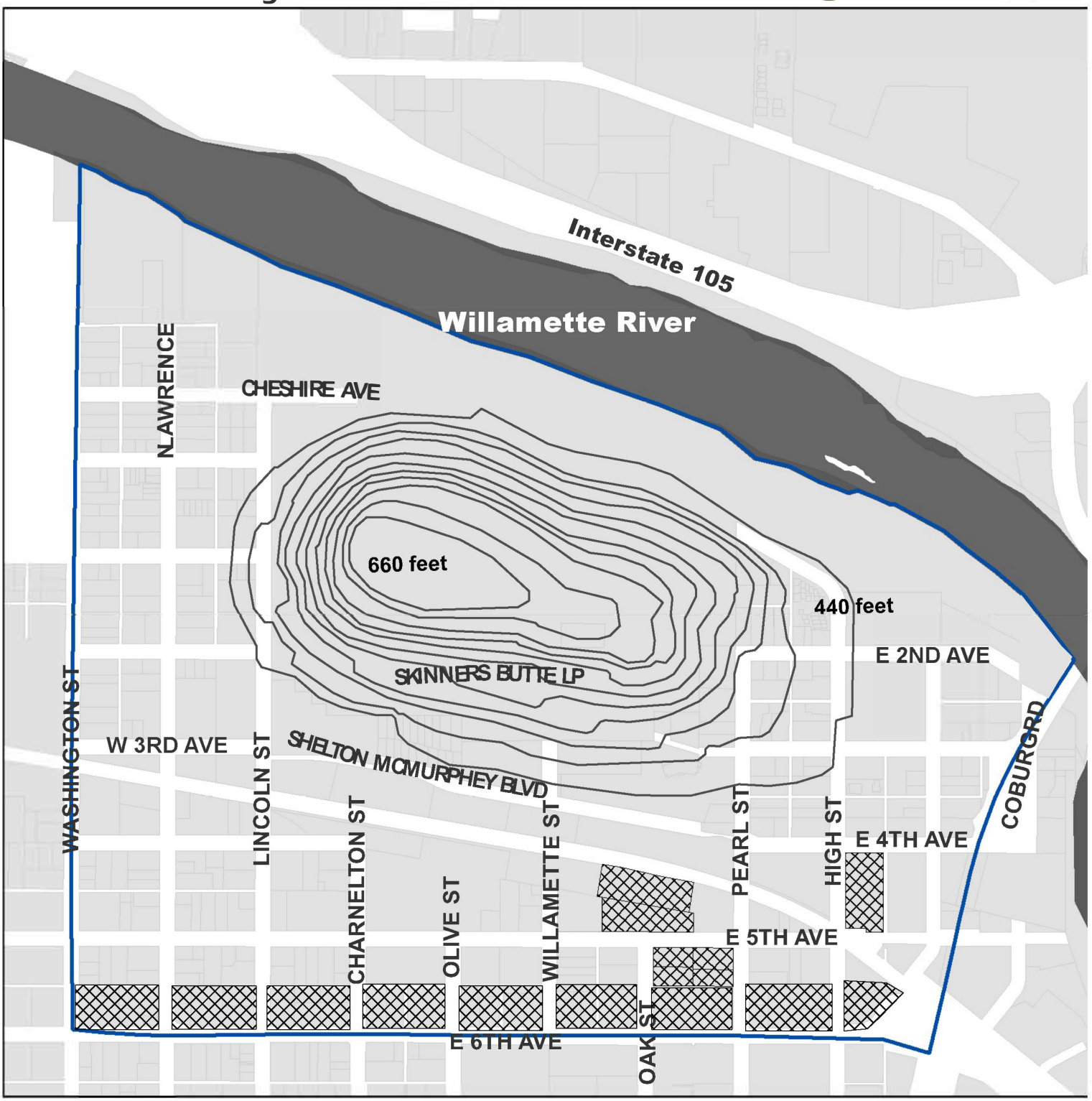
Approved by the Mayor this

____ day of _____, 2023

_____
Mayor

Figure 9.6715(3)

Skinner Butte Height Limitation Area



Skinner Butte Height Limitation Area Boundary

Opportunity Area

N

Ft
0 300 600

Proposed Figure 9.3155(3)(a)

KEY

Build-to line (BTL)

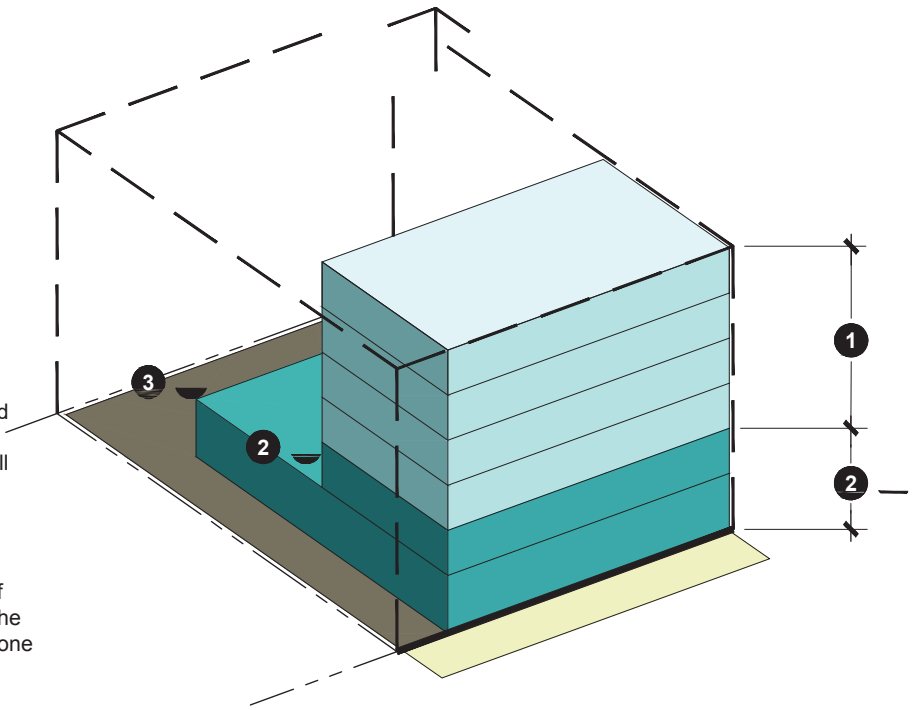
Property Line

Maximum building envelope.

Minimum building envelope.

1 Buildings shall be a maximum elevation of **500** feet above sea level, except that buildings or portions of buildings constructed within the Opportunity Area defined in Figure 9.6715(3) shall have a maximum height of 530 feet above mean sea level.

2 Buildings shall be a minimum of two stories; with **50** percent of the building footprint allowed to be one story.



Skinner Butte/Downtown Riverfront Height Code Amendment
(City File CA 23-2)

Overview

Skinner Butte/Downtown Riverfront Height Code Amendment: The goal of this site-specific land use code amendment is to increase allowed building heights on a single piece of property to facilitate additional development opportunities in the Downtown Riverfront. The City Council approved a similar amendment in 2023 which impacted six properties in the 5th Street Market area. Additionally, the City undertook a similar process in 2018 which resulted in an allowance for increased building heights along the entire southern half block between 5th and 6th Avenues and between Coburg Road and Washington Street. This code amendment allows for greater building heights on a property on the east side of High Street, between 4th and 5th Avenues ("the subject property"). The Community Development Division of the Planning and Development Department is the applicant for this amendment.

The subject property's allowable building height is governed by the Skinner Butte Height Limitation Area (Eugene Code 9.6715(3)) and the S-DR Downtown Riverfront Special Area Zone Height Regulating Plan (Eugene Code 9.3155(3), Figure 9.3155 and Figure 9.3155(3)(a)). This amendment will increase allowable building heights on the subject property from 500 feet above sea level to 530 feet above mean sea level. This will result in an allowance for buildings up to approximately 100 feet in height on the subject property; development on this property was previously limited to approximately 70 feet in height.

Findings

Eugene Code Section 9.8065 requires that the following approval criteria (in ***bold italics***) be applied to a code amendment:

(1) The amendment is consistent with applicable statewide planning goals adopted by the Land Conservation and Development Commission.

Goal 1 - Citizen Involvement. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The City has acknowledged provisions for community involvement which ensure the opportunity for community members to be involved in all phases of the planning process and set out requirements for such involvement. The code amendment does not amend the citizen involvement program. The process for adopting this amendment complied with Goal 1 because it is consistent with the City's acknowledged citizen involvement provisions.

A Notice of Proposed Amendment was filed with the Oregon Department of Land Conservation and Development on July 11, 2023, and a notice of the Planning Commission's public hearing on the application was mailed on July 14, 2023. Notice was posted on the subject property along the frontage of the abutting improved streets and in three locations within 300 feet of the subject property on July 25, 2023. A public hearing was held before the Planning Commission on August 15, 2023, followed by

deliberations. Following deliberations, Planning Commission made a recommendation that the Eugene City Council approve the proposed code amendments.

The City Council held a public hearing on September 18, 2023. A notice of the public hearing was provided on September 8, 2023, in accordance with Chapter 9 of the Eugene Code.

These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the code amendment is consistent with Statewide Planning Goal 1.

Goal 2 - Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.

Eugene's land use code specifies the procedure and criteria that were used in considering this amendment. The record shows that there is an adequate factual basis for the amendment. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the community.

To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of this amendment with affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development as well as to Lane County and the City of Springfield. There are no exceptions to Statewide Planning Goal 2 required for this amendment. Therefore, the amendment is consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Lands. To preserve agricultural lands.

The amendment will only affect property located within the City of Eugene and does not affect any land zoned or designated for agricultural use. Therefore, Statewide Planning Goal 3 does not apply.

Goal 4 - Forest Lands. To conserve forest lands.

The amendment will only affect property located within the City of Eugene and does not affect any land zoned or designated for forest use. Therefore, Statewide Planning Goal 4 does not apply.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources. To conserve open space and protect natural and scenic resources.

OAR 660-023-0250(3) provides: Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

- *(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- *(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*

(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.

This amendment does not create or amend the City's list of Goal 5 resources, does not amend a land use code provision adopted to protect a significant Goal 5 resource or to address specific requirements of Goal 5, and does not amend the acknowledged urban growth boundary. Therefore, the amendment does not affect (a) or (c).

In regard to (b), the property subject to the amendment does not contain any Goal 5 resources. However, the 1978 Scenic Sites Working Paper and accompanying map, which are a part of the City's adopted significant Goal 5 inventory (see Ordinance No. 20351), identifies Skinner Butte as a "Scenic Site" (as both a "Vista" and as containing "Prominent and Plentiful Vegetation"). Per OAR 660-023-0230, "scenic views and sites" are lands valued for their aesthetic appearance.

Skinner Butte has long been recognized and valued in the community for its aesthetic appearance, which is evidenced by the adoption of the Skinner Butte Height Limitation Area in 1968. Notably, this predates the adoption of Statewide Planning Goal 5 in December 1974. Section 9.6715(1) of the Eugene Code (EC) describes the purpose of height limitation areas as follows: "Certain geographical landmarks have scenic attributes that are of value to the community as a whole. To protect views to and from these landmarks, special limitations on building height are established on and around them."

While the properties immediately surrounding the subject property vary in the maximum building heights allowed by their base zoning and applicable overlays, the majority of surrounding properties are within the Skinner Butte Height Limitation Area and thus have a base height allowance that is the same as the subject property (500 feet above sea level). As a result of amendments to the Skinner Butte Height Limitation Area in 2018 and 2023, portions of the Skinner Butte Height Limitation Area allow building heights up to 530 feet above mean sea level on properties that previously allowed up to 500 feet. The current proposal would extend this higher limit to one additional property.

A variety of natural and artificial features in the general riverfront area currently block views of Skinner Butte or will block them in the future regardless of the Skinner Butte Height Limitation Area. The Ferry Street viaduct obscures the butte from many potential viewing locations in the general riverfront area. From locations west of the viaduct, views of the butte would be obstructed by a building on the subject property even if it were constructed within the currently allowed height limit, with the additional proposed height making no difference to the condition. From locations east of the viaduct, many views of the butte which currently exist will be blocked by either recently planted trees or buildings planned for construction in the Downtown Riverfront which are not included in the Skinner Butte Height Limitation Area.

Overall, a building taking full advantage of the proposed increased height limit would only negligibly impact views of Skinner Butte compared to a building constructed under the current limit. Additionally, the subject property is located roughly 700 feet from the base of Skinner Butte and 1,400 feet from the viewing area at the top of the butte. Given the distance between the subject property and Skinner Butte, the potential impact on views to and from the butte is minimal. Considering these factors, the proposed increase in allowable building height can be achieved in a way that is sensitive to Skinner Butte.

The remainder of the height limitation area will remain in place, and as these findings demonstrate, development that will be allowed by this amendment to the Skinner Butte Height Limitation Area does not interfere with the scenic value of the butte or the viewing of its prominent and plentiful vegetation to a greater extent than the development that would be allowed in the absence of this amendment. For all these reasons the amendment does not allow new uses that could be conflicting uses with a significant Goal 5 resource site. The amendment does not amend an acknowledged urban growth boundary. Therefore, the amendment is consistent with Statewide Planning Goal 5.

Goal 6 - Air, Water and land Resource Quality. To maintain and improve the quality of the air, water and land resources of the state.

Goal 6 addresses waste and process discharges from development and is aimed at protecting air, water, and land from impacts from those discharges. The amendment does not affect the City's ability to provide for clean air, water, or land resources. Therefore, the amendment is consistent with Statewide Planning Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards. To protect life and property from natural disasters and hazards.

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis, and wildfires. The amendment does not amend or repeal any policies or regulations that protect people and property from natural hazards. Therefore, the amendment is consistent with Statewide Planning Goal 7.

Goal 8 - Recreational Needs. To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Goal 8 ensures that recreational facilities are provided to Oregon residents and tourists and is primarily concerned with the provision of those facilities in non-urban areas of the state. The amendment does not affect the City's provisions for or access to recreation areas, facilities, or recreational opportunities. Therefore, the amendment is consistent with Statewide Planning Goal 8.

Goal 9 - Economic Development. To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Goal 9 requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The amendment does not impact the supply of industrial or commercial lands. Instead, the amendment increases the capacity of existing land zoned to allow mixed use development by allowing additional building height. Therefore, the amendment is consistent with Statewide Planning Goal 9.

Goal 10 - Housing. To provide for the housing needs of citizens of the state.

Goal 10 requires the City to provide an adequate supply of residential buildable land to accommodate the City's estimated housing needs for a 20-year planning period. The Envision Eugene Residential Land Supply Study (2012-2032) was adopted by the City of Eugene in 2017 as a refinement of the Envision

Eugene Comprehensive Plan and complies with the requirements of Goal 10 and Chapter 660, division 008 of the Oregon Administrative Rules.

The amendment does not alter or amend the City's adopted Envision Eugene Residential Land Supply Study. The subject property is designated High Density Residential with Mixed Use and Nodal Development. The amendment does not impact the supply of residential buildable land, because the subject property is classified as "Committed or Protected Lands." These categories are distinct from "Vacant" or "Partially Vacant Residential Lands" because they were not considered as having future development or redevelopment potential when the Residential Land Supply Study was done (see Residential Land Supply Study Part I – Page 5. Land in government ownership was classified as "Committed" as part of the study.) The amendments will not re-zone or re-designate land from residential use to a nonresidential use. Accordingly, the amendments do not impact the supply or availability of residential lands included in the documented supply of "buildable land" that is available for residential development as inventoried in the acknowledged Residential Lands Supply Study. Finally, the amendments will increase maximum building height on the affected property, which will allow for the development of a greater number of residential units than the number of units that could have been built without the amendment. The amendment is consistent with Statewide Planning Goal 10.

Goal 11- Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The amendment does not affect the City's provision of public facilities and services. Therefore, Statewide Planning Goal 11 does not apply.

Goal 12- Transportation. To provide and encourage a safe, convenient and economic transportation system.

The Transportation Planning Rule (OAR 660-012-0060) contains the following requirement:

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- *(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- *(b) Change standards implementing a functional classification system; or*
- *(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
  - *(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
  - *(B) Degrade the performance of an existing or planned transportation facility such*

that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

The amendment does not change the functional classification of a transportation facility, change the standards implementing a functional classification system, or degrade the performance of a facility otherwise projected to not meet performance standards. Therefore, the amendment does not have a significant effect under (a) or (b). In regard to (c), the level of increased development that may result from the additional building height would have a negligible impact on any transportation facility. Therefore, the amendment does not significantly affect any existing or future transportation facilities. Based on the above findings, the amendment is consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation. *To conserve energy.*

The amendment does not negatively impact energy conservation. Instead, increased capacity for development on the subject property allows for additional construction of buildings that are likely to consume less energy per unit area than the same uses would consume in a smaller building. Goal 13 is also concerned with the provision of efficient transportation options; the amendment would provide for denser development which is more suited to public transit and other forms of energy efficient transportation. Based on these findings, the amendment is consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization. *To provide for an orderly and efficient transition from rural to urban land use.*

The amendment does not affect the City's provisions regarding the transition of land from rural to urban uses. Therefore, Statewide Planning Goal 14 does not apply.

Goal 15 - Willamette River Greenway. To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

The amendment does not contain any changes that affect the Willamette River Greenway regulations, nor is the subject property within the adopted Greenway boundary; therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.

There are no coastal, ocean, estuarine, or beach and dune resources related to the property affected by this amendment. Therefore, these goals are not relevant, and the amendment will not affect compliance with Statewide Planning Goals 16 through 19.

(2) The amendment is consistent with applicable provisions of the comprehensive plan and applicable adopted refinement plans.

Applicable Metro Plan Policies

The following policies from the *Metro Plan* (identified below in *italics*) are applicable to this amendment. To the extent that the following policies constitute mandatory approval criteria, based on the findings provided below, the amendment is consistent with and supported by the applicable provisions of the *Metro Plan*.

Environmental Design Element

E.5 Carefully develop sites that provide visual diversity to the urban area and optimize their visual and personal accessibility to residents.

The intent of this amendment is to permit taller buildings on a certain specific property while still preserving the views to and from Skinner Butte. The height standards in the amendment are still more restrictive than those in adjacent zones or other areas of the Downtown Riverfront Special Area Zone, so they will preserve views to and from Skinner Butte.

E.6 Local jurisdictions shall carefully evaluate their development regulations to ensure that they address environmental design considerations, such as, but not limited to, safety, crime prevention, aesthetics, and compatibility with existing and anticipated adjacent uses (particularly considering high and medium density development locating adjacent to low density residential).

Consistent with this policy, the amendment provides a creative solution to preserving the views to and from Skinner Butte while promoting commercial and residential development downtown.

Envision Eugene Comprehensive Plan

The Envision Eugene Comprehensive Plan does not contain any policies relevant to this amendment.

Applicable Refinement Plans

The Eugene Downtown Plan (2004) contains policies relevant to this amendment:

Chapter 1: Strong Regional Center, Policy 1. Downtown development shall support the urban qualities of density, vitality, livability and diversity to create a downtown, urban environment.

The amendment supports the development of a denser, more peopled downtown. Additionally, it represents regulatory flexibility that makes residential development more appealing to property owners as an alternative to leaving downtown land as vacant lots, surface parking, or similar uses with significant negative externalities. The amendment and its promotion of additional residential units, vitality, and downtown livability are consistent with this policy.

Chapter 2: Building a Downtown, Policy 2. Use downtown development tools and incentives to encourage development that provides character and density downtown.

Reasonable use of tools such as height limitation areas in combination with incentives such as increased

height allowances can achieve the multiple goals of downtown density, appreciation of natural landscapes, and the other priorities embodied in the Skinner Butte Height Limitation Area. The amendment is consistent with this policy.

Chapter 3: Great Streets, Policy 1. Emphasize Broadway, Willamette Street, 5th and 8th Avenues as Great Streets through public improvements and development guidelines.
Include portions of these streets as follows:

- *Willamette between 5th and 13th Avenues*
- *Broadway between Lincoln and Hilyard*
- *5th Avenue between Lincoln and High Street*

(with potential extension to the Willamette River)

- *8th Avenue between Willamette Street and the Willamette River.*

5th Avenue is a key linkage between the Downtown Riverfront–including the affected property–and the rest of downtown, and its continued importance to downtown has led to the development growing around it: the 5th Street Market. Flexibility in development standards around this great street will incentivize filling gaps in the streetscape. Additionally, with the completion of the 5th Avenue extension to the Riverfront, this area has become an important connection between downtown and the Willamette River. The amendment is consistent with this policy.

Chapter 5: Living Downtown, Policy 1. Stimulate multi-unit housing in the downtown core and on the edges of downtown for a variety of income levels and ownership opportunities.

The amendment would open new options for development on the subject property, including higher counts of residential units than would be possible under the current code. The amendment is consistent with this policy.

Chapter 6: Downtown Riverfront, Policy 4. Facilitate dense development in the courthouse area and other sites between the core of downtown and the river.

5th Avenue has been extended into the Downtown Riverfront and now represents a major corridor for connection between downtown and the river. Existing and future developments are poised to make this area one of the busiest subdistricts in the city's core. The amendment would facilitate denser development in key locations, and it is therefore consistent with this policy.

Based on the above findings, the proposal is consistent with and supported by the applicable provisions of these adopted plans.

(3) The amendment is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone, in the case of establishment of a special area zone.

The amendment does not establish a special area zone. Therefore, this criterion does not apply.

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Public Hearing: An Ordinance Concerning Climate Friendly & Equitable Communities Parking Standards; Amending Sections 9.0500, 9.2160, 9.2430, 9.2450, 9.2751, 9.2775, 9.3030, 9.3116, 9.3125, 9.3155, 9.3165, 9.3515, 9.3625, 9.3631, 9.3715, 9.3811, 9.3815, 9.3910, 9.3915, 9.3950, 9.3970, 9.5150, 9.5200, 9.5350, 9.5450, 9.6105, 9.6205, 9.6410, 9.6415, 9.6420, 9.6430, 9.6435, 9.6440, 9.6794, 9.6810, 9.6815, 9.6820, 9.8030, 9.8615, and 9.9500 of the Eugene Code, 1971; and Providing an Effective Date.

Meeting Date: September 18, 2023 | Agenda Item Number: 3
Department: Planning and Development | Staff Contact: Reid Verner
www.eugene-or.gov | Contact Telephone Number: 541-682-5534

ISSUE STATEMENT
The City Council will hold a public hearing on a draft ordinance for the Climate-Friendly and Equitable Communities (CFEC) Parking Reform Land Use Code Amendments (CA 23-1). For ease of reference, a summary of the proposed land use code amendments is included below, and the proposed ordinance and legislative findings are included as Attachment A.

BACKGROUND
In March 2020, Governor Kate Brown issued an Executive Order directing state agencies to take actions to reduce and regulate greenhouse gas emissions and to mitigate the impacts of climate change while also centering the needs of Oregon's most vulnerable communities. The Executive Order is intended to help advance the state's adopted goal of reducing greenhouse gas emissions 75 percent below 1990 levels by 2050, while also increasing participation and engagement opportunities for underserved communities that have historically experienced discrimination and racism in land use and transportation planning policies and decisions throughout the State. In response, the Oregon Land Conservation and Development Commission (LCDC) developed and adopted a set of administrative rules, known as the Climate Friendly and Equitable Communities Rules, or CFEC. The CFEC rules require cities to take actions to help meet emission reduction goals through changes to local transportation and housing planning systems (see the State's CFEC website for more background). Many of the CFEC requirements align with the City's goals regarding climate action, housing production, and transportation.

The CFEC rules regarding parking require Eugene to either adopt land use changes to eliminate minimum off-street parking requirements citywide (Option 1, Attachment A), or

to take a multifaceted approach and adopt land use and other City code changes to eliminate parking requirements for certain uses and in certain locations, to select and implement either a fair parking policy approach or a reduced regulations parking management approach, and to adopt changes to parking programs, policies and pricing (Options 2A and 2B). Details regarding Options 2A and 2B are outlined in Attachment B.

Staff presented an overview of all the CFEC rules, including parking requirements, to the Eugene Planning Commission on August 23, 2022. A similar overview presentation was provided to the Eugene City Council on September 12, 2022. Staff provided the City Council with a detailed overview specific to the CFEC parking and electric vehicle (EV) charging rules at the September 28, 2022 work session. At that work session the City Council voted to initiate a land use code amendment to implement the required parking changes. On November 22, 2022, staff returned to the Planning Commission to discuss details of the parking and electric vehicle charging requirements in the CFEC rules. The CFEC team provided an update on implementation of all projects associated with CFEC to the Planning Commission on April 11, 2023 and to the City Council on May 8, 2023.

The Planning Commission held a work session on the proposed CFEC Parking Reform Code Amendments on June 13, 2023 and held a public hearing on the proposed amendments on June 27, 2023. One interested party appeared at the public hearing and testified in favor of the proposed code amendments. Following the public hearing, the Planning Commission record was held open until 5 pm on July 5, 2023. No additional testimony was received during the open record period. The Planning Commission held a work session on July 25, 2023 to deliberate on the CFEC Parking Reform Land Use Code Amendments. At that work session the Planning Commission asked staff to draft additional code provisions that would require one ADA van-accessible parking space for certain larger developments, even if a developer or property owner chose not to provide any other off-street parking. State guidance provides that one ADA space may be required even if minimum parking requirements are eliminated. On August 1, 2023, the Planning Commission voted to recommend adoption of the CFEC Parking Reform Land Use Code Amendments by the City Council. The City Council held a work session on September 13, 2023, in preparation for this public hearing.

RELATED CITY POLICIES

While the CFEC rules are a directive of the State, Eugene has a long history of supporting efforts to address climate change. There is overlap between the Climate-Friendly and Equitable Communities goals and several City plans and projects that have been approved or adopted by City Council and which support compact development, climate resiliency, increasing the share of trips made by non-auto modes, and removing barriers to equity and housing affordability. Examples include:

- The Eugene Community Climate Action Plan 2.0 and Climate Recovery Ordinance (including a goal to reduce greenhouse emissions on average by 7.6 percent every year)

- The Envision Eugene Recommendation and Community Vision (including to "provide housing affordability for all income levels," "plan for climate change and energy resiliency" and "promote compact urban development and efficient transportation options" as three of its seven pillars).
- Mixed-use center/corridor planning
- Coordinated land use/transportation planning (including the Eugene 2035 Transportation System Plan and Moving Ahead)
- A strong focus on facilitating downtown development through a coordinated and comprehensive approach that includes regulatory, financial and faciliatory incentives.
- Eugene's land use code already includes numerous provisions aimed at reducing off-street parking, including: parking exemptions for the entire downtown, the west university area and the Blair Boulevard historic commercial area; parking maximums for certain uses; specific parking reductions for nodal development areas; shared parking; exemptions from parking requirements for middle housing along the bus rapid transit corridor and for income-qualified middle housing; and an on-street parking credit for middle housing.

Public Engagement Summary

Consistent with Council direction and to provide more opportunities for meaningful and inclusive public engagement than would have been achievable under the original parking reform adoption deadline of June 30, 2023, staff submitted and received a six-month timeline extension from the Oregon Department of Land Conservation and Development (DLCD). The new December 31, 2023, deadline for compliance specifically provided for additional time for public engagement, for outreach centering the voices of underserved populations, and for distributing information broadly across the community.

To that end, from March to May 2023, the City hosted nine individual stakeholder interviews, held small group conversations with 62 participants, facilitated discussions with people at two tabling events attended by 180+ participants, held a virtual information session with 18 participants, and collected 437 online survey responses. The complete survey results are available here. Involvement included proactive outreach to Black, Indigenous, and other communities of color, the LGBTQ+ community, Spanish speaking residents, people experiencing disabilities, neighborhood groups, and groups affiliated with affordable housing, transportation, environment, development, and more.

Outcomes of public engagement show:

- 48 percent of survey respondents preferred Option 1, which is the proposed code amendments included as Attachment A, 35 percent preferred Option 2A or B, included as Attachment B, and 17 percent were undecided, according to the results of the online survey.
- When asked about outcomes, survey respondents overwhelming supported more flexibility in how space is used, including for trees and other amenities, and

encouraging more climate-friendly transportation options such as biking, walking, and taking the bus.

- In-person outreach provided more insights into the "why" behind preferences and revealed both opportunities and fears around change:
    - Housing, environmental, transportation, and development advocates prefer Option 1. Several neighborhood liaisons and advocates for people with disabilities want more regulations and favor Option 2.
    - Participants asked important questions regarding implementation, such as: How will the City coordinate with Lane Transit District? How will impacts and outcomes be monitored? How will regulation and enforcement happen? How will people experiencing disabilities find accessible parking?
    - Though the general public, including historically marginalized community groups, had a difficult time weighing in on Option 1 and 2, they valued reducing greenhouse gas emissions from vehicles and increased flexibility for the use of space currently dedicated to parking. People emphasized that their lives continue to depend on car travel to access their daily needs, including school, work, and errands.

Parking Rule Requirements and Timelines

The parking and electric vehicle charging mandates included in the CFEC rules have three sets of deadlines. Some of the parking rules are already in effect, meaning the City is currently required to apply them when reviewing development applications. While these are not the focus of today's public hearing, because the State rules specified the regulations and effective dates, a summary of these changes is provided below for background. The proposed changes to the land use code to remove parking mandates, which are also summarized below, are the focus of the public hearing and must be in effect by December 31, 2023.

Parking Near Frequent Transit Corridors and Parking Associated with Certain Uses

Since January 1, 2023, the City has been required to apply the following requirements when reviewing development applications:

- The City may not enforce parking mandates on a lot or parcel that includes lands within one-half mile of a frequent transit corridor. A frequent transit corridor is defined in the CFEC rules as a corridor with bus service arriving with a scheduled frequency of at least four times an hour during peak service. The City is measuring the one-half mile distance by walking distance.
- The City may not require parking for the following uses:
    - Facilities and homes designed to serve people with disabilities;
    - Childcare facilities;
    - Single-room occupancy housing;
    - Affordable housing (housing available to rent or buy by households with income that does not exceed 80 percent of Area Medium Income (AMI), or spaces in manufactured dwelling parks available for rent by households with income that does not exceed 100 percent AMI);

- Publicly supported housing (multi-unit rental housing that receives financial assistance from the state or federal government);
- Emergency and transitional shelters for people experiencing homelessness;
- Domestic violence shelters; and
- Dwelling units less than 750 square feet in size.

- The City may not require more than one off-street parking space per unit for residential developments with more than one unit on a single legally established property.

Electric Vehicle Charging
As of March 31, 2023, the CFEC rules require the provision of electric vehicle charging capacity to accommodate 40 percent of parking spaces for new multi-unit developments and new mixed-use developments that include multi-unit dwellings and private commercial space.

Citywide Parking Mandates
In addition to the requirements above, by December 31, 2023, the City Council must adopt required parking amendments. As part of the required parking amendments, the City must choose one of three parking reform options (Options 1, 2A or 2B). The Planning Commission recommends adoption of land use code amendments and legislative findings that implement Option 1.

The proposed changes to the City's land use code recommended by the Planning Commission would eliminate minimum off-street parking requirements City-wide, require the installation of canopy trees or solar charging panels for large parking areas, impose off-street parking maximums in certain circumstances, require installation of electric vehicle charging conduit for 40 percent of off-street parking spaces in multi-unit and mixed-use developments that include five or more dwelling units, and include other changes as needed to implement the CFEC Rules and clarify definitions and development standards for off-street parking areas. The specific changes include:

- A new "Dwelling, Studio-Unit" definition,
- Modifying and clarifying the definition of "Loading Area" and "Structured Parking",
- Changes to "Structured Parking" use for zoning use tables to maintain consistency with definition,
- Removing references to minimum required off-street parking,
- Modifying maximum off-street parking regulations for consistency with the CFEC Rules and prior City policy decisions,
- Requiring preferential parking for carpools and vanpools,
- Correcting an error in the parking dimension table,
- Modifying the applicability section for parking area landscaping standards to include vehicle use/loading areas that exceed 500 square feet,
- The requirement to build one ADA van-accessible space for new developments subject to the Large Commercial, Large Employment & Industrial Facilities, and Multiple Unit Standards, unless located within existing parking exempt areas.
- New rules for Large Parking Areas (over 21,780 square feet), requiring canopy trees or solar panels to comply with state rules,

- New Electric Vehicle charging capacity rules for multi-unit and mixed-use developments,
- A limitation on "total parking area" for new developments with more than 65,000 square feet of floor area,
- New approval criteria for an adjustment to the maximum number of off-street parking spaces,
- Exempting "Structured Parking" from parking maximums and large parking area requirements.

PREVIOUS COUNCIL DIRECTION

September 12, 2022, Work Session

Council held a work session regarding the Climate-Friendly and Equitable Communities overview and requirements.

September 28, 2022, Work Session

Council held a work session regarding the Climate-Friendly and Equitable Communities Rules: Parking Regulations, and passed the following motion:

> Move to direct the City Manager to initiate a land use code amendment to comply with electric vehicle charging and parking Climate-Friendly and Equitable Communities rules and to apply for an alternative timeline to allow for additional community engagement. VOTE: 4:3

May 8, 2023, Work Session

Council held a work session regarding the Climate-Friendly and Equitable Communities Implementation Update.

September 13, 2023, Work Session

Council held a work session regarding the Climate-Friendly and Equitable Communities Parking Reform Land Use Code Amendments

COUNCIL OPTIONS

No action is required at this time.

CITY MANAGER'S RECOMMENDATION

This is a public hearing only. Deliberation and possible action are tentatively scheduled for October 2023.

ATTACHMENTS

A. An Ordinance Concerning Climate Friendly & Equitable Communities Parking Standards; Amending Sections 9.0500, 9.2160, 9.2430, 9.2450, 9.2751, 9.2775, 9.3030, 9.3116, 9.3125, 9.3155, 9.3165, 9.3515, 9.3625, 9.3631, 9.3715, 9.3811, 9.3815, 9.3910,

9.3915, 9.3950, 9.3970, 9.5150, 9.5200, 9.5350, 9.5450, 9.6105, 9.6205, 9.6410, 9.6415, 9.6420, 9.6430, 9.6435, 9.6440, 9.6794, 9.6810, 9.6815, 9.6820, 9.8030, 9.8615, and 9.9500 of the Eugene Code 1971; and Providing an Effective Date.

Exhibit A: Figure 9.6410(1)(b)
Exhibit B: Figure 9.6420(3)(c)2.
Exhibit C: Findings

B. CFEC Parking Reform Summary of Options 2A and 2B

FOR MORE INFORMATION

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DLCD Climate-Friendly and Equitable Communities Implementation website:
https://www.oregon.gov/lcd/CL/Pages/CFEC.aspx

Eugene's Climate-Friendly and Equitable Communities Implementation website:
https://www.eugene-or.gov/5022/Climate-Friendly-Rules

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CLIMATE FRIENDLY & EQUITABLE COMMUNITIES PARKING STANDARDS; AMENDING SECTIONS 9.0500, 9.2160, 9.2430, 9.2450, 9.2751, 9.2775, 9.3030, 9.3116, 9.3125, 9.3155, 9.3165, 9.3515, 9.3625, 9.3631, 9.3715, 9.3811, 9.3815, 9.3910, 9.3915, 9.3950, 9.3970, 9.5150, 9.5200, 9.5350, 9.5450, 9.6105, 9.6205, 9.6410, 9.6415, 9.6420, 9.6430, 9.6435, 9.6440, 9.6794, 9.6810, 9.6815, 9.6820, 9.8030, 9.8615, and 9.9500 OF THE EUGENE CODE, 1971; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 9.0500 of the Eugene Code, 1971, is amended by adding the definition of "Dwelling, Studio-Unit"; and amending the definitions of "Loading Space" and "Structured Parking" to provide as follows:

9.0500 Definitions.

Dwelling, Studio-Unit. A dwelling unit that is part of a multi-unit dwelling and consists of a room and a separate bathroom.

Loading ~~Space~~Area. An off-street ~~space~~area or loading dock that abuts a street, alley, or other appropriate means of ingress and egress, and which is on the same lot as a main building or which is contiguous to a group of buildings, used for the temporary parking of commercial vehicles while loading or unloading.

Structured Parking. A publicly or privately owned structure having ~~one~~ two or more ~~tiers of height~~levels, designed and used for parking 4 or more motor vehicles.

Section 2. The "Motor Vehicle Related Uses" Section of Table 9.2160 in Section 9.2160 of the Eugene Code, 1971, is amended to provide as follows:

9.2160 Commercial Zone – Land Use and Permit Requirements.

Table 9.2160 Commercial Zone Land Uses and Permit Requirements

	C-1	C-2	C-3	GO
Motor Vehicle Related Uses				
Structured Parking, ~~up to~~ two levels not directly related to a primary use on the same development site		P	P	P
Structured Parking, three or more levels not directly related to a primary use on the same development site		C	P	C

Section 3. Subsection (3)(c) of Section 9.2430 of the Eugene Code, 1971, is amended to provide as follows:

9.2430 Employment and Industrial Zone Siting Requirements.

In addition to the approval criteria in EC 9.8865 Zone Change Approval Criteria, the following siting requirements apply:

***

(3) *I-2 Light - Medium Industrial*. This zone is limited to areas designated Light-Medium Industrial in the comprehensive plan or those that meet all of the following minimum siting requirements:

(a) Access to arterial streets without undue negative impact on residential streets.

(b) No more than 5 acres.

(c) Sufficient street frontage to accommodate structures~~, parking,~~ and access in character with adjacent non- industrial properties.

Section 4. The "Motor Vehicle Related Uses" section of Table 9.2450 in Section 9.2450 of the Eugene Code, 1971, is amended to provide as follows:

9.2450 Employment and Industrial Zone Land Use and Permit Requirements.

Table 9.2450 Employment and Industrial Zone Land Use and Permit Requirements				
	E-1	E-2	I-2	I-3
Motor Vehicle Related Uses				
Structured Parking, ~~up to~~ two levels not directly related to a primary use on the same development site	P	P	P	
Structured Parking, three or more levels not directly related to a primary use on the same development site	P	P	P	

Section 5. Subsection (18)(a)10. of Section 9.2751 of the Eugene Code, 1971, is amended to provide as follows:

9.2751 Special Development Standards for Table 9.2750.

***

(18) *Alley Access Lots in R-1.*

(a) *General Standards.*

***

10. *Parking Spaces*. ~~The minimum number of required off-street parking spaces is as provided in Table 9.6410 Required Off-Street Motor Vehicle Parking.~~ There shall be a maximum of 2 parking spaces on the lot.

Section 6. Subsections (5)(d)2. and (5)(d)5. of Section 9.2775 of the Eugene Code, 1971, are amended to provide as follows:

9.2775 Residential Flag Lot Standards for R-1, R-2, R-3 and R-4.

***

(5) *Development Standards.*

***

(d) *Minimum Paving and Landscaping*.

1. Except as provided in subsection (e) below for accessory dwellings, the minimum paving of the driveway used for access shall be as follows:

1 rear lot	12 feet
2 to 4 rear lots	20 feet* (Street may be required.)

* If approved by the planning director as necessary to preserve existing natural features, paving width may be reduced to 17½ feet, except for the first 25 feet back from the sidewalk if both sides of the driveway are landscaped in accordance with a landscape plan.

2. Driveways serving the flag lots and parking areas shall be constructed of at least 4 inch thick Portland Cement concrete, or 2½ inch compacted asphaltic concrete mix on 6 inches of 3/4 minus compacted crushed rock base, or an approved equal. Base placement of driveways and parking areas shall be approved by the city manager prior to final surfacing. If an abutting property's access drive is used~~:~~

~~a. A~~an access easement-maintenance agreement is required, which shall be recorded in the Lane County office of Deeds and Records.~~, and~~

~~b. The abutting property shall meet off-street parking requirements for that property~~

3. If access is provided via an existing unimproved alley, a petition for improvement is required. The alley must be able to provide automobile and emergency vehicle access to a public street.

4. Whether or not the portion of the flag lot with public street frontage is used for access, it shall remain free of structures and be available for possible future access to a public street.

5. On ~~Each~~ a rear lot or parcel, ~~shall have 2 off-street~~ parking spaces shall be located outside of the pole portion of the flag lot.

Section 7. Subsection (3) of Section 9.3030 of the Eugene Code, 1971, is amended to provide as follows:

9.3030 Required Provisions of a Special Area Zone Ordinance.

Each S Special Area zone is established by an ordinance that contains the following sections:

***

(3) Development Standards ~~containing development standards~~ governing factors that are necessary to achieve the purpose of the S Special Area zone such as required ~~off-street parking,~~ landscaping, setbacks, and building height limitations.

Section 8. Subsection (2) of Section 9.3116 of the Eugene Code, 1971, is amended to provide as follows:

9.3116 Special Use Limitation for Table 9.3115.

***

(2) *Churches, Synagogues and Temples*. These uses will be allowed only with a CUP. ~~and subject to the following standards:~~

~~(a)~~ Primary and accessory structures associated with the religious use are limited in size, at the ground floor, to no more than 10,000 square feet.

~~(b) Minimum requirements for on-site parking are reduced to 1 parking space per 300 square feet of floor area.~~

Section 9. Section 9.3125 of the Eugene Code, 1971, is amended by deleting subsection (2)(b)3. and renumbering subsection (2)(b)4. as subsection (2)(b)3. to provide as follows:

9.3125 S-CN Chase Node Special Area Zone Development Standards.

***

(2) *Standards Applicable in C, HDR/MU and HDR Subareas.*

***

(b) *Streetscapes.*

1. *Street Trees*. Street tree requirements are specified in EC 7.280 Street Tree Program – Policies, Standards, Procedures, and rules issued thereunder.

2. *Structured Parking*. Structured parking that abuts a street shall have at least 50 percent of the ground floor street frontage developed for office, retail, residential, or

other pedestrian-oriented uses. This standard does not apply to parking facilities that are totally underground.

~~3. *On-Street Parking Allowance*. On-street parking spaces that directly abut a development site can be used by the development on the site to satisfy a portion of the off-street parking requirements. If two properties abut a space, both properties may count the space toward their respective requirements. If on- street spaces are not marked, the number of spaces shall be determined by measuring the curb frontage in feet and dividing by 20 feet. The curb frontage shall exclude driveways and areas where parking is not permitted.~~

~~4.~~3. *Trash Pickup*. Trash receptacles shall be served from the alley for all sites that abut an alley.

***

Section 10. Subsections (11)(b) and (11)(c) of Section 9.3155 of the Eugene Code, 1971, are amended to provide as follows:

9.3155 S-DR Downtown Riverfront Special Area Zone General Development Standards (applicable to all property).

***

(11) *Delivery and Loading Areas*. All delivery and loading areas in the S-DR/MU subdistrict shall meet the following standards:

(a) Maneuvering and circulation related to delivery and loading is not permitted between the street and the portion of a building used to comply with building setback requirements.

(b) All loading ~~spaces~~ areas shall be off the street ~~, shall be in addition to required motor vehicle parking spaces,~~ and shall be served by service drives, alleys, private accessways, or maneuvering areas so that no backward movement or other vehicle maneuvering within a street will be required.

(c) All off-street loading ~~spaces~~ areas shall be on interior service courts, alleys, or screened from view from all adjacent property lines according to EC 9.6210(4), High Wall Landscape Standards (L-4).

Section 11. Section 9.3165 of the Eugene Code, 1971, is amended by: amending the section heading; amending subsection (1); amending Table 9.3165(1); deleting subsection (1)(a); amending subsection (1)(b); re-lettering subsection (1)(b) as (1)(a); re-lettering subsection (1)(c) as (1)(b); re-lettering subsection (1)(d) as (1)(c); re-lettering subsection (1)(e) as (1)(d); amending subsection (2); and amending subsection (4) as follows:

9.3165 S-DR Downtown Riverfront Special Area Zone Parking ~~Requirements~~Standards.

(1) ~~*Required*~~ *Off-Street Motor Vehicle Parking Standards*. Within the S-DR Zone, the ~~minimum and~~ maximum parking standards in Table EC 9.3165(1) apply instead of the standards in Table EC 9.6410.

Table 9.3165(1) S-DR Motor Vehicle Parking Requirements		
Use	**~~Minimum Number of Off-Street Parking Spaces~~**	**Maximum Number of Off-Street Parking Spaces**
Residential	~~Except as permitted through Adjustment Review pursuant to EC 9.8030(10)(a), the minimum number of required parking spaces shall be 0.75 parking spaces per dwelling unit or 0.50 parking spaces per dwelling unit for housing that is limited to occupancy by low income persons as defined at EC 2.910.~~	Except for required parking spaces for persons with disabilities, a maximum of 1.2 parking spaces are allowed per studio-unit and a maximum of 2.25 parking spaces are allowed per dwelling unit.
Non-Residential	~~No minimum~~	Except for required parking for persons with disabilities, and spaces within structured parking with two or more levels, the maximum number of parking spaces is 1 parking space per every 250 square feet of gross floor area.

~~(a) Location of Required Off-Street Parking. Required off-street parking shall be located on the development site, anywhere within the S-DR Zone boundary, or within ¼ mile (or 1,320 feet) of the S-DR Zone boundary as measured along the route of the shortest existing~~

~~public way or private street, in accordance with EC 9.6410(1)(a).~~

~~(b)~~(a) *Location of On-Site Surface Parking.* New on-site surface parking shall be accessory to a primary use on the same development site and may be located only on:

1. Parcels with frontage on the street adjacent to the existing railroad corridor;

2. Parcels that take access from an alley;

3. Parcels where the on-site parking is located behind the building or, if there is no alley access, to the side of the building.

On-site surface parking does not include underground, structured, courtyard, tuck-under, and podium parking. On-street parking spaces within the public right-of-way and on-site parking spaces for persons with disabilities are exempt from this requirement. The provisions at EC 9.6420(1), (3), (~~5~~6), and (~~6~~7) do not apply to vertically stacked parking facilities in the S-DR Zone. ~~Each vertically stacked parking space counts toward the minimum off-street parking requirement in EC 9.3165(1).~~

~~(c)~~(b) *Siting and Design*. The provisions at EC 9.6415(2); EC 9.6420(1), (2), (3)(a), (3)(b),(3)(e), (~~4~~5), (~~5~~6), and (~~6~~7), apply to the siting and design of parking and loading facilities in the S-DR Zone.

~~(d)~~(c) *Parking Access*. Parking access must be consistent with the below requirements:

1. Driveways and access connections shall be no more than 20 feet wide.

2. No more than two access connections per tax lot for lots less than 60,000 square feet in size and no more than three access connections per tax lot for lots more than 60,000 square feet in size shall be allowed, except as provided at EC 7.410.

3. Driveways and access connections are not permitted within 50 feet of any intersection of two or more streets, as measured from the nearest property corner abutting the intersection.

~~(e)~~(d) *Parking Area Landscaping*. Except as provided in (2) below, the parking area landscaping standards at EC 9.6205 and EC 9.6420(3) apply to off-street parking areas in the S-DR Zone, except the parking area standards at EC 9.6420(3)(c), which are not applicable in the S-DR Zone. All surface parking areas shall have a landscaped bed around the perimeter measuring 5 feet in width and landscaped to a minimum of the L-2 standard.

***

(2) *Temporary Parking*. Temporary parking areas are exempt from the requirements at EC 9.6420(3) ~~through~~ and (~~4~~5) and EC 9.6791 through EC 9.6797.

***

(4) *Adjustment Review*. As an alternative to the number of bicycle parking spaces that are required under (3) above ~~or the number of off-street parking spaces that are required under (1)~~

~~above~~, an applicant may apply for approval of an adjustment through the Adjustment Review process based on the criteria at EC 9.8030(9)~~or EC 9.8030(10)(a)~~.

Section 12. Subsection (7) of Section 9.3515 of the Eugene Code, 1971, is amended to provide as follows:

9.3515 S-HB Blair Boulevard Historic Commercial Special Area Zone – Development Standards.

The design standards set forth in this section apply to all property within the S-HB zone. In the event any of the development standards of this section conflict with the general development standards of this land use code, the standards in this section control. Property within this zone is also subject to the historic property alteration Type II review and historic property moving and demolition procedures and criteria in this land use code. Alterations shall be in character with the structure's original stylistic integrity as described in the city landmark nomination.

***

(7) *Parking*. ~~Off-street parking requirements shall be eliminated when necessary to preserve historic landscape materials or unique historic features to allow for the adaptive re-use of historic buildings or when provision of off- street parking prevents such compatible uses.~~ Within the S-HB zone there shall be no significant expansion of off- street parking. Business shall be encouraged to share off-street parking areas. On-site parking is best achieved at the side or rear of historic structures. Large historic shade trees shall not be removed to make way for parking lots. Existing parking lots shall be evaluated and design considerations shall be sought to make them more compatible with the character of the S-HB zone.

Section 13. Section 9.3625 of the Eugene Code, 1971, is amended by deleting subsection (3)(d)3.; and amending subsection (7) to provide as follows:

9.3625 S-JW Jefferson Westside Special Area Zone Development Standards.

***

(3) *Alley development standards*.

***

(d) For a dwelling whose primary vehicle access is an alley:

***

~~3. One on-site parking space, accessible from the alley, per dwelling is required. This parking requirement does not apply to an additional single-unit dwelling, as described at EC 9.3615(2).~~

***

(7) *Parking Standards*.

~~(a) Except as provided in (3)(d)(3) above, each dwelling shall have one on-street or on-site vehicle parking space for every three bedrooms, rounded up to the next whole number (i.e. a four-bedroom dwelling must have at least two parking spaces). For purposes of this subsection, each uninterrupted twenty feet of lot line that abuts a street right-of-away where parking is legal within the entirety of that twenty feet shall count as one on-street parking space. The twenty feet may not include any portion of a curb cut.~~

~~(b)~~ No portion of a vehicle parking area may be located in the area defined by the Street Setback minimum standard (i.e., from which structures, other than permitted intrusions, are excluded) or between the street and the residential building façade that faces, and is closest to, the street. (See Figure 9.3625(7)(b)).

Section 14. Section 9.3631 of the Eugene Code, 1971, is amended by deleting subsection (1)(b); and re-lettering subsections (1)(c) through (1)(h) to provide as follows:

9.3631 Special Standards for Table 9.3630.

(1) (a) Lot frontage requirements may be met by a lot that abuts a street or an alley continuously for the required length indicated in Table 9.3630.

~~(b) A lot must be of sufficient size and/or have sufficient on-street parking to meet applicable vehicle parking requirements under EC 9.3625(3)(b)(4) or EC 9.3625(7) for one dwelling, or all existing dwellings on the lot at the time the lot is created, whichever is greater.~~

~~(c)~~(b) *Rectilinear shape*. A lot line segment is a portion of the boundary line of a lot that is bounded on each end by an angle and that contains no angles within the line segment. (The point at which a straight line intersects a curved line is considered an angle.)

1. All lot line segments must be straight lines and intersect at right angles (90 degrees).

2. *Exceptions*.

a. Lot line segments may intersect at an angle between 85 and 95 degrees to the extent that will produce a lot with at least four sides and a lot boundary with fewer angles than could be accomplished using only right angles.

b. An angle between 45 and 135 degrees is allowed where a new lot line intersects a lot line segment that existed prior to December 14, 2009, and the existing lot line segment did not intersect both its adjoining lot line segments at right angles.

~~(d)~~(c) A lot's boundaries must be sufficient to fully encompass a rectangle of the following size:

1. Alley access only lots: 45'x35'

2. Other lots: 5'x45'

(See Figure 9.3631(1)(d)(e))

~~(e)~~(d) *Minimum interior lot dimension*. (See Figure 9.3631(1)(d)(e)). The minimum distance between any two non-intersecting lot line segments is 35 feet when measured by a straight line that does not begin or end at an intersection of any two lot line segments and that lies entirely within the lot's boundaries.

~~(f)~~(e) The Property Line Adjustment provisions at EC 9.8400 through 9.8420 are available within the S-JW zone only for adjustment of a portion of a lot line that existed in its current location as of December 14, 2009. Such lot lines may be adjusted by up to 5 feet, measured perpendicularly from the lot line's current location, and consistent with all other applicable lot standards. A Property Line Adjustment allowed under this section may be up to 10 feet if the adjustment is necessary to accommodate an encroachment that existed as of December 14, 2009,.

~~(g)~~(f) A lot must have the capacity for vehicular access from an alley or street consistent with access standards in the EC.

~~(h)~~(g) The creation of a new flag lot is prohibited in the S-JW Jefferson Westside Special Area Zone.

Section 15. Section 9.3715 of the Eugene Code, 1971, is amended by amending subsection (1); deleting subsection (1)(a); renumbering subsection (1)(b) as (2); renumbering subsection (1)(b)1. as (2)(a); renumbering subsection (1)(b)2. as (2)(b); renumbering subsection (1)(b)3. as (2)(c); renumbering subsection (1)(b)4. as (2)(d); renumbering subsection (1)(b)5. as (2)(e); rumbering subsection (2) as (3); renumbering subsection (3) as (4); amending subsection (4)(b); and renumbering subsection (4) as (5) to provide as follows:

9.3715 S-RP Riverfront Park Special Area Zone – Development Standards.

In order to allow an overall development that is consistent with the purpose and intent of the S-RP Riverfront Park Special Area Zone as well as its unique location adjacent to the Willamette River and Millrace, the following development standards shall prevail. In the event the development standards here conflict with the general standards of this land use code, the standards provided here supersede any conflicting provisions.

(1) *Parking Requirements*. ~~The parking requirements for new construction provided here attempt to balance encouragement of use of alternative travel modes with the need for~~

~~automobile storage; more parking than the minimums specified here may need to be provided.~~ Parking and off-street loading areas shall be designed, laid out, and constructed in accordance with the parking area design, improvements, buffering, and dimensions as specified in EC 9.6420 Parking Area Standards. ~~Required parking shall be determined for each separate occupancy within a building or on a development site. For example, in a combined industrial and office business, parking shall be required for the industrial use at a ratio of one space per 500 square feet and the office portion at one space per 400 square feet. Required p~~Parking shall be located within 400 feet of structures to be served unless a greater separation is specifically approved through the master development plan approval process. For that portion of the special area zone located between the Willamette River and the railroad tracks, up to 50 percent of the ~~required~~ parking may be provided north of the Willamette River if approved through the master site plan approval process as outlined in EC 9.3725 S-RP Riverfront Park Special Area Zone Review Procedures. ~~Required parking may be provided through joint use of parking facilities, subject to the requirements of EC 9.6430 Shared Off-Street Parking.~~

~~(a) Required parking shall be provided at the following ratios, rounded up to the nearest whole number:~~

~~1. Industrial uses – 1 for each 500 square feet of gross floor area.~~

~~2. Retail uses – 1 for each 300 square feet of gross floor area.~~

~~3. Office uses – 1 for each 400 square feet of gross floor area.~~

~~4. University uses – 1 for each 400 square feet of gross floor area.~~

~~5. Multiple-unit dwellings – 1 for each dwelling unit, plus 1 guest parking space for each 3 units.~~

~~(b)~~(2) Bicycle parking: Bicycle spaces shall be provided as follows:

~~1.~~(a) Non-residential uses – the minimum number of spaces shall equal 125 percent of the maximum number of off-street~~required automobile~~ motor vehicle spaces calculated pursuant to EC 9.6410.

~~2.~~(b) Multiple-unit dwellings – 1 space per unit.

~~3.~~(c) Locking and cover shall be provided for all required spaces.

~~4.~~(d) Required spaces shall be located no farther than ~~2 times~~ 100 feet from a~~the distance between~~ building entrance~~s used by automobile occupants and the automobile parking spaces closest to those entrances~~.

~~5.~~(e) Each required space must be at least 6 feet long and 2 feet wide, with a minimum overhead clearance of 6 feet.

~~(2)~~(3) *Setback Requirements*. Development within the S-RP zone shall comply with the following setbacks:

(a) All structures, parking areas, streets, and access drives shall maintain a minimum setback of 35 feet from the top of the south bank of the Willamette River. A map indicating

the location of the top of the south bank is on file with the city's planning and development department.

(b) All structures, parking areas, streets, and access drives shall maintain a minimum setback of 15 feet from the south side of the bicycle path located (or as to be relocated) adjacent to the top of the river bank. If the setback specified herein requires a greater distance than the 35 feet specified under Section 9.3715(~~2~~3)(a), the greater distance shall be maintained.

(c) Solar access shall be provided to at least 60 percent of the following designated areas:

1. The south bank of the Willamette River.

2. The bicycle path located (or as to be relocated) adjacent to the top of the river bank.

3. The Autzen Stadium footbridge protection area defined in Section 9.3715(~~2~~3)(e) below.

4. Active recreation areas defined in the master site plan.

The solar access required herein shall be provided at noon from February 21 to October 21 of any year. If building setbacks necessary to ensure this solar access are greater than would otherwise be required, the greater setback shall be required.

(d) The Millrace shall be maintained as an open channel through the S-RP zone with the following setbacks:

1. No structure, street, access drive, or parking area shall be located adjacent to the east Millrace outfall within the area defined by the bicycle path as it existed on May 11, 1987. This area is indicated on the map referenced in subsection (~~2~~3)(a) of this section.

2. No structure, street, access drive, or parking area shall be located within 15 feet of the top of the banks of the Millrace in all areas within the S-RP zone except for the area described under EC 9.3715(~~2~~3)(d)(1) above where a greater setback is required. Except for the east Millrace outfall area described under EC 9.3715(~~2~~3)(d)(1) above, street or access drive crossings that are needed for circulation may be approved as part of the master development plan.

(e) All structures and parking areas shall maintain a setback of 50 feet on both sides of a straight line between the existing pedestrian underpass under the railroad tracks and the Autzen Stadium footbridge to provide visual linkage between the two structures. This area is indicated on the map referenced in subsection (~~2~~3)(a) of this section.

(f) Multiple-unit dwellings shall have interior yards of not less than 10 feet between buildings, without regard as to the location of the property line, or no interior yards required if the buildings abut or have a common wall, except where a utility easement is recorded adjacent to an interior lot line, in which event there shall be an interior yard of no less than the width of the easement.

(g) Except as provided above, all structures other than multiple-unit dwellings shall have no setback requirements.

Public improvements, including pedestrian and bicycle trails, public plazas, and similar amenities, but excluding roads and parking areas, are exempt from the setback requirements specified above.

~~(3)~~(4) *Required Building Separation and Profile Offsets*. All buildings located within 75 feet of the top of the south bank of the Willamette River shall observe the following profile and separation requirements:

(a) The maximum building profile as seen from end to end of the side(s) facing the river shall not exceed 200 lineal feet in total horizontal length.

(b) Any building elevation parallel to the river shall not continue along an uninterrupted, continuous plane for more than 100 feet. For the purpose of this requirement, an uninterrupted, continuous plane is a wall having no variation in exterior surface along its length of more than 5 feet as measured at a perpendicular line from the plane of the wall.

(c) Each building shall be separated by at least 50 feet from an adjoining building, measured parallel to the river.

No building shall have a total horizontal length of more than 300 feet as measured on its longest axis.

~~(4)~~(5)*Coverage Requirements*. Coverage requirements within the S-RP zone shall be as follows:

(a) For that portion of a development site allocated for multiple-unit residential use, the maximum permitted coverage by buildings and structures shall be 50 percent.

(b) For that portion of a development site allocated for all uses other than multiple-unit residential, at least 40 percent of that portion of the site to be developed shall be landscaped with living plant materials. Natural areas (e.g., along the Millrace or from the top of the bank along with the Willamette River south) may be included in the 40 percent computation. The amount of open space may be reduced to 30 percent if 40 percent of the ~~required~~ parking for the development or phase thereof is provided either below grade, at grade but under a structure, or in a parking structure.

Public amenities such as plazas, pedestrian or bicycle trails, and similar improvements shall be considered open space when computing coverage. When computing coverage within the S-RP zone, structures owned by the Oregon State System of Higher Education and in existence as of May 11, 1987 shall not be included.

Section 16. Subsection (5) of Section 9.3811 of the Eugene Code, 1971, is amended to provide as follows:

***

(5) *Churches, Synagogues and Temples*. Permitted conditionally in areas designated for Low Density Residential use, ~~subject to the following standards~~so long as ~~:~~

~~(a)~~ the ~~P~~primary and accessory structures associated with the religious use are limited in size, at the ground floor, to no more than 10,000 square feet.

~~(b) Minimum requirements for on-site parking are reduced to 1 parking space per 300 square feet of floor area.~~

Section 17. Section 9.3815 of the Eugene Code, 1971, is amended by amending subsection (2)(c); deleting subsection (2)(e)4.; renumbering subsection (2)(e)5. as (2)(e)4.; and amending subsection (3)(i) to provide as follows:

9.3815 S-RN Royal Node Special Area Zone Development Standards – General.

***

(2) *Development Standards Applicable in the LDR, MDR, RMU, CMU and MSC Subareas.*

***

(c) *Parking.*

~~1. *On-Street Parking.*~~ On-street parking is required:

~~a.~~1. On at least one side of the street on all local streets within the plan area, and

~~b.~~2. In accordance with, and where specifically indicated on Map 9.3815(2)(c)1 S-RN Royal Node Special Area Zone On-Street Parking.

~~2. *On-Street Parking Allowance*. Except within the S-RN/LDR area, on-street parking spaces that directly abut a development site can be used by the development on the site to satisfy a portion of the off-street parking requirements. If two properties abut a space, both properties may count the space toward their respective requirements. If on-street spaces are not marked, the number of spaces shall be determined by measuring the curb frontage in feet and dividing by 20 feet. The curb frontage shall exclude driveways and areas where parking is not permitted.~~

(d) *Trash Pickup*. Trash receptacles shall be served from the alley for all sites that abut an alley.

(e) *Multi-Unit Development*. With the following exceptions, Multi-Unit Development Standards in EC 9.5500 shall be applied to new multi-unit development within the S-RN Special Area Zone:

1. Except as provided in EC 9.3816(5), setback sidewalks, a minimum of 5 feet in width, are required along all public streets within and abutting the development site.

2. Setback sidewalks, a minimum of 5 feet in width, are required along all private streets serving development of 20 or more units.

3. Sidewalks may be designed as curbside walks along portions of public or private streets that provide parallel on-street parking within parking bays. Where this option is used, canopy street trees shall be planted within the planting strip areas created by the parking bays with an average spacing of 50' along the full length of the street.

~~4. On street parking spaces adjacent to the street frontage of a building shall be counted toward meeting the off-street parking requirement. If two properties abut a space, both properties may count the space toward their respective requirements. If on-street spaces are not marked, the number of spaces shall be determined by measuring the curb frontage in feet and dividing by 20 feet. The curb frontage shall exclude driveways and areas where parking is not permitted.~~

~~5.~~4. Roofs pitches must have gable, hip, or gambrel forms. Minimum roof pitch for all structures except manufactured homes shall be 4 inches of vertical rise for each 12 inches of horizontal width, and with a minimum 6-inch overhang.

(3) *Development Standards Applicable in Specific Subareas of the S-RN Zone.*

***

(i) Parking and Loading. Within the RMU, CMU and MSC subareas, in addition to the standards beginning at EC 9.6100 Purpose of Bicycle Parking Standards and EC 9.6400 Purpose of Motor Vehicle Parking and Loading Standards, ~~the following standards apply:~~

~~1. M~~motor vehicle parking, maneuvering and circulation is not permitted between the street and the portion of a building that is used to comply with building setback requirements.

~~2. For commercial uses, including commercial uses in mixed use buildings:~~

~~a. No parking spaces are necessary if 8 or fewer parking spaces are otherwise required.~~

~~b. If 9 or more parking spaces are otherwise required, the required parking can be reduced by 4 spaces if the business provides a minimum of 2 of the amenities described in EC 9.3815(3)(h)(2), above.~~

Section 18. The "Motor Vehicle Related Uses" section of Table 9.3910 in Section 9.3910 of the Eugene Code, 1971, is amended to provide as follows:

9.3910 S-W Whiteaker Special Area Zone – Land Use and Permit Requirements.

Table 9.3910 S-W Whiteaker Special Area Zone Uses and Permit Requirements

	S-W
Motor Vehicle Related Uses	
Structured Parking, ~~up to~~ two levels not directly related to a primary use on the same development site	P
Structured Parking, three or more levels not directly related to a primary use on the same development site	C

Section 19. Subsection (5) of Section 9.3915 of the Eugene Code, 1971, is amended to provide as follows:

9.3915 S-W Whiteaker Special Area Zone Development and Lot Standards.

Except as provided in subsections (5) to (13) of this section, sections 9.6000 to 9.6885 General Standards for All Development in this land use code shall apply within this S-W zone. In the event of a conflict between the general development standards of this land use code and the standards set forth in this section, the specific provisions of this section shall control.

***

(5) *Parking.* Off-street parking shall be ~~provided~~ constructed in accordance with applicable provisions of this land use code~~, including provisions for shared parking and parking within 1000 feet of the development site, except that there shall be no off-street parking required for motor vehicles for up to 6 residential dwellings that are part of a mixed use development~~.

Section 20. Subsection (7) of Section 9.3950 of the Eugene Code, 1971, is amended to provide as follows:

9.3950 Purpose of S-WS Walnut Station Special Area Zone.

The purpose of the Walnut Station Special Area Zone is to implement the vision of the Walnut Station Specific Area Plan to facilitate development of a mixed use center. The S-WS standards implement a form-based approach, which emphasizes the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and

types of streets and blocks. The intent of a form-based code is to achieve a predictable built environment with a focus on providing quality public spaces. Design objectives of the S-WS zone include:

***

(7) ~~Provide adequate parking while i~~Incorporat~~ing~~e features that reduce the need for use of automobiles for travel within the Special Area Zone.

Section 21. Section 9.3970 of the Eugene Code, 1971, is amended by amending subsections (4)(a), (5)(b), and (5)(c) to provide as follows:

9.3970 S-WS Walnut Station Special Area Zone Development Standards Applicable to All Properties in the Walnut Station Special Area Zone.

***

(4) *Parking Requirements.*

(a) ~~*Required o*~~*Off-street motor vehicle parking*. The following ~~minimum and~~ maximum parking standards apply instead of the standards in Table 9.6410. The provisions in ~~EC 9.6410(1)(a) through (c),~~ EC 9.6415(1) through (3), and EC 9.6420(1), (2), (3)(a), (b), and (e), and (4) through (9)~~, (5), and (6),~~ apply to the siting and design of parking and loading facilities in the Walnut Station area. Uses not listed do not have a parking ~~requirement~~maximum.

Use	~~Minimum Number of Off-street Parking Spaces~~	Maximum Number of Off-Street Parking Spaces
Residential	~~No off-street parking spaces are required for accessory dwellings. Except as provided in an adjustment pursuant to EC 9.8030(29), the minimum number of required parking spaces for all other residential uses shall be .5 parking spaces per dwelling unit.~~	Except for required parking spaces for persons with disabilities, a maximum of 1.2 parking spaces are allowed per studio-unit and a maximum of 2.25 parking spaces are allowed per other dwelling unit.
Non-Residential Uses	~~Except as provided in an adjustment pursuant to EC 9.8030(29), the minimum number of required parking spaces shall be 1 parking space for every 660 square feet of gross floor area.~~	Except for required parking spaces for persons with disabilities, spaces provided in park and ride lots operated by a public transit agency, and spaces within structured parking with two or more levels, the maximum number of parking spaces is 1 parking space per every 250 square feet of gross floor area.

***

(5) *Delivery and Loading Areas.*

(a) Maneuvering and circulation related to delivery and loading is not permitted between the street and the portion of a building that is used to comply with building setback requirements.

(b) All loading ~~spaces~~areas shall be off the street~~, shall be in addition to required off-street parking spaces,~~ and shall be served by service drives, alleys, private accessways and maneuvering areas so that no backward movement or other vehicle maneuvering within a street will be required.

(c) All off-street loading ~~spaces~~ areas shall be on interior service courts or screened from view from all adjacent property lines according to EC 9.6210(4) High Wall Landscape Standard (L-4).

Section 22. Section 9.5150 of the Eugene Code, 1971, is amended by deleting subsection (5) and renumbering subsections (6) through (10) to provide as follows:

9.5150 Collection Center, Collection of Used Goods Standards.

(1) Collection of used goods shall be conducted in connection with collection centers as defined in this land use code.

(2) Traffic circulation and vision clearance (both on-site and at entry locations) shall not be impeded by the collection center's location, donated materials storage, or any other activities associated with the use.

(3) Collection center siting shall meet all requirements of the fire marshal's office for access and separation for both the center and nearby structures.

(4) The collection center shall not be located in the public right-of-way.

~~(5) The collection center shall not use on-site parking spaces required for other uses.~~

~~(6)~~(5) An attendant shall be present at all times donated goods can be accepted.

~~(7)~~(6) The collection center attendant shall maintain the area around the center.

~~(8)~~(7) No outside storage of donated materials shall be allowed.

~~(9)~~(8) No processing, sale, or distribution of collected materials shall be allowed.

~~(10)~~(9) There shall be at least 10 feet between the collection center and all residentially zoned property lines.

Section 23. Section 9.5200 of the Eugene Code, 1971, is amended by deleting subsection (1) and renumbering subsections (2) through (4) to provide as follows:

9.5200 Day Care, Small (4 to 16 people served) Standards.

These standards apply to small, (4 to 16 people served) day care operations in residential zones where the Land Uses and Permit Requirements Table for the applicable zone indicates that the use(s) "permitted subject to zone verification and EC 9.5000 to 9.5850."

~~(1) In addition to the standard required parking for other uses on the property, 1 off-street parking space is required per each outside employee.~~

~~(2)~~(1) Education programs offered as a primary activity or specialized training in activities such as dance, drama, music or religion shall be limited to preschool children.

~~(3)~~(2) At least 1 of the business owners of a day care service serving 4 to 16 people in R-1 and R-2 zones shall reside in the building.

~~(4)~~(3) No overnight care permitted without a conditional use permit.

Section 24. Section 9.5350 of the Eugene Code, 1971, is amended by amending subsection (5); deleting subsection (10), and renumbering subsections (11) through (13) to provide as follows:

9.5350 Home Occupation Standards.

Except for garage sales lasting no more than 3 consecutive days no more than 3 times in a year, and day care facilities, which are exempt, home occupations shall be subject to the following standards:

***

(5) The home occupation shall not generate excessive traffic, ~~on-street parking,~~ glare, heat, electromagnetic interference or other emissions that are perceptible beyond the home occupation property. There shall not be regular freight truck delivery more than twice a week.

***

~~(10) Parking shall be provided as required in conjunction with the dwelling.~~

~~(11)~~(10) A resident of the dwelling shall be employed in the home occupation.

~~(12)~~(11) There shall be no motor vehicle or motorcycle repair except to vehicles owned by persons residing on the property.

~~(13)~~(12) A home occupation shall not be permitted in a dwelling located on a flag lot.

Section 25. Section 9.5450 of the Eugene Code, 1971, is amended by deleting subsection (3) and renumbering subsections (4) through (7) to provide as follows:

9.5450 Model Home Sales Office Standards.

(1) A model home sales office may be used as a gathering point for personnel provided the personnel works in the subdivision or manufactured home park within which the model home is located.

(2) All office activities shall be located entirely within the dwelling or garage; no outside equipment or material storage on the development site other than as necessary to complete construction of the units in that subdivision.

~~(3) There shall be off-street parking spaces for all personnel and business vehicles associated with the model home.~~

~~(4)~~(3) The model home shall be located in the subdivision or manufactured home park under development.

~~(5)~~(4) There shall be no detrimental effect on the residential character of the surrounding neighborhood through excessive traffic, violation of the city's noise or other performance standards, excessive late or early hours of operation, or other activities that are incompatible with adjacent residential uses.

~~(6)~~(5) All signs shall comply with the EC 9.6650 Residential Sign Standards.

~~(7)~~(6) The model home use shall be discontinued when all the homes in the subdivision or manufactured home park have been sold.

Section 26. The "Motor Vehicle Related Uses" Section of Table 9.6105(5) in subsection (5) of Section 9.6105 of the Eugene Code, 1971, is amended to provide as follows:

9.6105 Bicycle Parking Standards.

(5) *Minimum Required Bicycle Parking Spaces*. The minimum required number of bicycle parking spaces shall be calculated according to Table 9.6105(5) Minimum Required Bicycle Parking Spaces.

Table 9.6105(5) Minimum Required Bicycle Parking Spaces

Uses	Required Bicycle Parking (Minimum 4 bicycle spaces required unless – 0 – is indicated.)	Type and % of Bicycle Parking
Motor Vehicle Related Uses		
Structured Parking, ~~up to~~ two levels not directly related to a primary use on the same development site	10% of auto spaces	100% long term
Structured Parking, three or more levels not directly related to a primary use on the same development site	10% of auto spaces.	100% long term

Section 27. The "Off-Street Loading Spaces in E-1 EC 9.6415(2)(b)" section of Table 9.6205 in Section 9.6205 of the Eugene Code, 1971, is amended to provide as follows:

9.6205 Landscape Standards.

The landscape standards reflected in Table 9.6205 and EC 9.6207 – 9.6255 establish minimum landscape requirements that apply to any development, except:

(1) Building alterations.

(2) Site improvements not listed in Table 9.6205.

(3) Change of use.

Table 9.6205 Landscaping Required by this Land Use Code							
	L-1 Basic	**L-2 Low Screen**	**L-3 High Screen**	**L-4 High Wall**	**L-5 Partial Screen Fence**	**L-6 Full Screen Fence**	**L-7 Massed**
Off-Street Loading ~~Spaces~~Areas in E-1 EC 9.6415(2)(b)				x			

Section 28. Section 9.6410 of the Eugene Code, 1971, is amended by: amending subsection (1); renumbering Figure 9.6410(1)(c) as shown in Exhibit A to this Ordinance; amending subsection (2); deleting the lead-in paragraph in subsection (3); deleting subsections (3)(a) and (3)(b); amending subsections (3)(c)1. and (3)(c)2.; renumbering subsection (3)(c) as (2)(c); amending subsection (3)(d) and renumbering it as (2)(d); deleting subsection (3)e; adding subsection (2)(e); adding a new subsection (3); amending Table 9.6410; deleting subsections (4) through (6); and deleting Figure 9.6410(6)(b) (including both the Overview Figure and the Map Tiles), to provide as follows:

9.6410 Motor Vehicle Parking Standards.

(1) ~~*Location of Required*~~*Standards for Off-Street Parking Spaces*. ~~Required off-street parking shall be on the development site or within 1/4 mile or 1320 feet of the development site that the parking is required to serve.~~

~~(a) All required parking shall be under the same ownership as the development site served, except through a city approved agreement that binds the parking area to the development site. The off-street parking space requirement for a multi-unit dwelling may be satisfied through an agreement that provides parking located on another multi-unit dwelling's development site only if the party requesting approval demonstrates that, after the agreement is executed, both development sites will meet the current code's minimum off-street parking space requirement. Each parking space provided through a city approved agreement must have a permanent sign of at least 1 square foot that indicates the name or address of the multi-unit dwelling for which the parking is reserved.~~

~~(b)~~ (a) Except as provided in EC 9.2751(15)(c)(3) Driveways and Parking Areas in R-3 and R-4, parking areas may be located in required setbacks only as permitted in EC 9.6745 Setbacks – Intrusions Permitted.

~~(c)~~ (b) Tandem parking spaces may be utilized ~~to meet off-street parking requirements~~ for multi-unit dwellings in the R-3 and R-4 zones within the boundaries of the city recognized

West University Neighbors and South University Neighborhood Association. Those tandem spaces may only be located in an underground parking area or at least 30 feet from a public street within a parking area that can be accessed only from an alley. (For tandem parking on alleys, see Figure 9.6410(1)(b)). ~~Tandem parking spaces may not be utilized to meet off-street parking requirements for other types of development in any area.~~ One tandem space shall be counted as two parking spaces when calculating the maximum number of off-street motor vehicle spaces. Tandem spaces shall not be allowed for studio-units or 1- or 2-bedroom dwellings.

(2) *Maximum Number of Off-Street Motor Vehicle Parking Spaces.*

(a) Except for required parking spaces for persons with disabilities, spaces provided in park and ride lots operated by a public transit agency, and spaces within structured parking with 2 or more levels, the maximum number of parking spaces ~~for non-residential uses~~shall be calculated in accordance with Table 9.6410 Maximum Off-Street Motor Vehicle Parking ~~may not exceed 125 percent of the minimum spaces required by EC 9.6410(3) Minimum Number of Required Off-Street Parking Spaces~~, unless an adjustment is granted according to EC 9.8030(10) Motor Vehicle Parking and Loading Standards Adjustment. This standard does not apply to existing parking areas that are not expanded.

(b) Regardless of the limitations contained in EC 9.6410(2)(a) above, at least 2 parking spaces may be constructed on a development site.

~~(3) *Minimum Number of Required Off-Street Parking Spaces*. Except as provided in this section, or in an adjustment pursuant to EC 9.8030(10) Motor Vehicle Parking and Loading Standards Adjustment, the minimum number of required off-street parking spaces shall be calculated as provided in Table 9.6410 Required Off-Street Motor Vehicle Parking.~~

~~(a) A parking reduction of up to 50% of the minimum requirement in the /ND overlay zone and up to 25 percent of the minimum requirement in all other zones is allowed as a right of development. In addition to these reductions, a parking reduction of 25% of the minimum required off-street parking is allowed for shared off-street parking. (See EC 9.6430)~~

~~(b) For any use located in the C-1 zone:~~

~~1. No parking spaces are necessary if 8 or fewer parking spaces are otherwise required.~~

~~2. If 9 or more parking spaces are otherwise required, the required parking can be reduced by 4 spaces if the business contributes towards providing urban amenities such as benches, low level lights, a bus shelter, or other open space improvements in the area.~~

~~(c)~~(c) Motor vehicle parking at Autzen Stadium Complex shall comply with:

1. So long as a city-approved intergovernmental agreement incorporating a transportation demand management plan for Autzen Stadium complex is in effect ~~a minimum of 4,749 vehicle parking spaces are required to be provided on the Autzen Stadium Complex site or within 1000' of that site.~~, parking provided for the Autzen Stadium Complex shall be exempt from the maximum parking limitations in EC Table

9.6410. All ~~required~~ parking shall be owned by the state of Oregon, except through a city-approved agreement that binds the parking area to the Autzen Stadium Complex.

2. If the above referenced intergovernmental agreement is not in effect, the Autzen Stadium Complex shall be ~~required~~ limited to no more than ~~to provide~~ 1 vehicle parking space for each 4.4 seats.

~~(d)~~(d) When calculating the maximum number of off-street parking spaces~~requirements~~ for an outdoor restaurant or any eating and drinking establishment that includes permanent outdoor seating, the outdoor seating floor area and outdoor non-seating floor area may be included in the calculation~~, up to 20 outdoor seats shall be exempt from the calculations~~.

~~(e) The off-street parking requirements of Table 9.6410 Required Off-Street Motor Vehicle Parking do not apply to a new building, building addition, or building alteration owned by the Eugene School District 4J and located on the Edison Elementary School site (map/tax lot 18-03-05-13-08300) if a proposed Transportation Demand Management (TDM) plan has been approved by the city. Eugene School District 4J shall submit a TDM plan to the city for review and approval prior to submittal of a building permit for a new building, building addition, or building alteration on the Edison Elementary School site that would trigger the off-street parking requirements of Table 9.6410. The TDM plan shall contain strategies for reducing motor vehicle use and parking demand generated by the development and shall establish benchmarks by which the program's effectiveness will be measured annually. The TDM plan shall include, but need not be limited to: strategies to address the use of street parking, Safe Routes to School planning, and the promotion of bicycling, walking, busing and carpooling to school.~~

(e) When calculating the maximum number of allowed off-street motor vehicle parking spaces using Table 9.6410 Maximum Off-Street Motor Vehicle Parking, fractional parking spaces shall be rounded up to the nearest whole number (for example, a maximum number of 3.4 off-street parking spaces will be rounded up to 4).

(3) *Accessible Parking Required for Certain Developments.*

(a) Except as provided in subparagraphs (b) and (c) of this subsection (3), developments subject to EC 9.2173 Commercial Zone Development Standards – Large Commercial Facilities, EC 9.2463 Employment and Industrial Zone Development Standards – Large Facilities, or EC 9.5500, Multiple-Unit Standards, must provide a minimum of one off-street van-accessible parking space that complies with the design requirements for van-accessible parking spaces included in the technical codes adopted by the City Manager pursuant to EC 8.010.

(b) Developments located in the Downtown and West University Automobile Parking Exempt Areas, as depicted on Map 9.6410(4)(a), are exempt from the requirements of subparagraph (a) of this subsection (3).

(c) Developments located in the Blair Boulevard Historic Commercial Automobile Parking Exempt Area as depicted on Map 9.6410(4)(b), are exempt from the requirements of subparagraph (a) of this subsection (3).

Table 9.6410 ~~Required~~ Maximum Off-Street Motor Vehicle Parking

Uses	~~Minimum~~ Maximum Number of ~~Required~~ Off-Street Parking Spaces
Agricultural, Resource Production and Extraction	
Agricultural Use and Community and Allotment Garden	~~0~~ N/A
Display and Sale of Agricultural Products, primarily based on products raised or grown on the premises	1.25 per each 660 square feet of floor area.
Horticultural Uses. Examples include field crops, orchards, berries, and nursery or flower stock.	1.25 per each 660 square feet of floor area.
Eating and Drinking Establishments	
Bar and Tavern	1.25 per each 66 square feet of seating floor area plus 1.25 for each 440 square feet of non- seating floor area.
Delicatessen	1.25 per each 66 square feet of seating floor area plus 1.25 for each 440 square feet of non- seating floor area.
Restaurant	1.25 per each 66 square feet of seating floor area plus 1.25 for each 440 square feet of non- seating floor area.
Specialty Food and Beverage. Examples include a bagel, candy, coffee, donut, and ice cream store. Products manufactured on-site shall comply with manufacturing allowances for food and beverage products.	1.25 per each 66 square feet of seating floor area plus 1.25 for each 440 square feet of non- seating floor area.
Education, Cultural, Religious, Social and Fraternal	
Artist Gallery/Studio	1.25 per each 275 square feet of floor area.
Ballet, Martial Arts, Dance and Gymnastics School/Academy/ Studio	1.25 per each 80 square feet of dance area.

Church, Synagogue, and Temple, including associated residential structures for religious personnel	1.25 per 4 fixed seats, 1.25 per 8 feet of bench length, or 1.25 per every 28 square feet in areas where no permanent seats are maintained in the main auditorium (sanctuary or place of worship). If religious services operate concurrently with other activities, user may include additional parking at 1.25 per 40 square feet for the space used concurrently.
Club and Lodge of State or National Organization	1.25 per 4 fixed seats, 1.25 per 8 feet of bench length, or 1.25 per every 28 square feet where no permanent seats or benches are maintained in the main auditorium.
Community and Neighborhood Center	1.25 per 4.5 seats or 1.25 per 28 square feet of assembly area where there are no fixed seats.
Library	1.25 per each 275 square feet of floor area.
Museum	1.25 per each 275 square feet of floor area.
School, Business or Specialized Educational Training (excludes driving instruction)	1.25 per every 3.5 classroom seats.
School, Driving (including use of motor vehicles)	1.25 per each 2000 square feet of floor area
School, Public or Private (Elementary School)	1.25 space per 8 students of design capacity as determined by the school.
School, Public or Private (Middle School)	1.25 space per 9 students of design capacity as determined by the school.
School, Public or Private (High School)	1.25 space per 3.5 students of design capacity as determined by the school.
University or College	1.25 per every 3.5 full time equivalent students.
Entertainment and Recreation	
Amusement Center (Arcade, pool tables, etc.)	1.25 per each 80 square feet of floor area.
Arena (Both indoors & outdoors)	1.25 per each 4.5 seats.
Athletic Facilities and Sports Clubs	
– Playing Court	2.25~~1.8~~ per each playing court.

– Viewing Area	1.25 per each 4.4 seats, 9.6 feet of bench length, or 31 square feet of gross floor area.
– Locker Room, Sauna, Whirlpool, Weight Room, or Gymnasium	1.25 per each 83 square feet of gross floor area.
– Lounge or Snack Bar Area	1.25 per each 66 square feet of gross floor area.
– Pro Shops or Sales Area	1.25 per each 330 square feet of gross floor area.
– Swimming Pool	1.25 per each 220 square feet of pool surface area.
Athletic Field, Outdoor	~~– 0 –~~ N/A
Bowling Alley	6.75~~5.4~~ per each bowling lane.
Equestrian Academy and Stable	1.25 per 3.5 classroom seats or 1.25 per every 3 stables.
Equestrian Trail	~~– 0 –~~ N/A
Golf Course, Miniature Indoor	1.25 per each 80 square feet of floor area.
Golf Course, Miniature Outdoor	1.25 per each 80 square feet of floor area.
Golf Course, with or without country club	1.25 per 3 golf holes plus 1 per each 2 employees.
Golf Driving Range	1.25 per each 80 square feet of floor area.
Park and Playground	~~– 0 –~~ N/A
Race Track, including drag strip and go-cart track	1.25 per 4.5 seats
Theater, Live Entertainment	1.25 per 4.5 seats.
Theater, Motion Picture	1.25 per 4.5 seats.
Financial Services	
Automated Teller Machine (ATM)	– 0 – N/A
Bank, Savings and Loan Office, Credit Union	1.25 per each 330 square feet of floor area.
Government	
Government Services, not specifically listed in this or any other uses and permits table	1.25 per each 330 square feet of floor area.
Information Technology Services	
All uses in this category	1.25 per each 275 square feet of floor

	area.
Lodging	
Bed and Breakfast Facility	1.25 per guest bedroom for facilities with 5 or more guest rooms.
Homeless Shelter in existence as of January 1, 1984	1.25 per 40 beds
Homeless Shelter not in existence as of January 1, 1984	1.25 per 40 beds
Hotel, Motel, and similar business providing overnight accommodations	1.25 per guest room.
Recreational Vehicle Park, may include tent sites (See EC 9.5600)	1.25 per each 660 square feet of floor area.
Manufacturing	
All Uses in this category, excluding storage	1.25 per each 550 square feet of floor area.
Storage	1.25 per each 1650 square feet of floor area.
Medical, Health, and Correctional Services	
Blood Bank	1.25 per each 330 square feet of floor area.
Correctional Facility, excluding Residential Treatment Center	1.25 per 5.5 beds.
Hospital, Clinic or other Medical Health Treatment Facility (including mental health) in excess of 10,000 square feet of floor area	1.25 per each 200 square feet of floor area or 1.35 per bed.
Hospital, Clinic or other Medical Health Treatment Facility (including mental health) 10,000 square feet or less of floor area	1 per each 200 square feet of floor area or 1.6835 per bed.
Laboratory – Medical, Dental, X-Ray	1.25 per each 330 square feet of floor area.
Meal Service, Non Profit	1.25 per each 330 square feet of floor area.
Nursing Home	1.25 per 4 beds.
Plasma Center, must be at least 800 feet between Plasma Center	1.25 per each 330 square feet of floor area.
Residential Treatment Center	1.25 per 5.5 beds.
Motor Vehicle Related Uses	
Car Wash	N/A ~~0~~

Motor Vehicle Sales/Rental/Service, excluding motorcycles, recreational vehicles and heavy trucks	1.25 per each 330 square feet of floor area.
Motorcycle Sales/Rental/Service	1.25 per each 330 square feet of floor area.
Parking Area not directly related to a primary use on the same development site	N/A
Parts Store	1.25 per each 330 square feet of floor area.
Recreational Vehicle and Heavy Truck, Sales/Rental/Service	1.25 per each 440 square feet of floor area.
Repair, includes paint and body shop	1.25 per each 660 square feet of floor area.
Service Station, includes quick servicing	1.25 per each 660 square feet of floor area.
Structured Parking~~, up to two levels, not directly related to a primary use on the same development site~~	N/A
~~Structured Parking, three or more levels not directly related to a primary use on the same development site~~	~~N/A~~
Tires, Sales/Service	1.25 per each 660 square feet of floor area.
Transit Park and Ride, Major or Minor, only when shared parking arrangement with other permitted use	N/A
Transit Park and Ride, Major or Minor	N/A
Transit Station, Major or Minor	N/A
Office Uses	
All Uses in this category	1.25 per each 330 square feet of floor area
Personal Services	
Barber, Beauty, Nail, Tanning Shop	1.25 per 330 square feet of floor area.
Day Care Facility (Not associated with a residence)	1.12~~.9~~ per employee.
Dry Cleaner	1.25 per each 660 square feet of floor area.
Film, Drop-off/Pick-up	1.25 per each 660 square feet of floor area.
Locksmith Shop	1.25 per each 660 square feet of floor area.
Laundromat, Self-Service	1.25 per each 330 square feet of floor area.
Mailing and Packaging Service	1.25 per each 660 square feet of floor area

Shoe Repair Shop	1.25 per each 330 square feet of floor area.
Tailor Shop	1.25 per each 330 square feet of floor area.
Residential	
Dwelling	
Single-Unit Dwelling	~~1 per dwelling.~~N/A
Single-Unit Dwelling – Flag Lot	N/A~~2 per dwelling.~~
Accessory Dwelling (Either attached or detached from primary single-unit dwelling on same lot)	N/A~~0~~
Townhouse (see (6) below)	N/A~~1 per dwelling.~~
Duplex (see (6) below)	N/A~~1 per dwelling.~~
Triplex (see (6) below)	N/A~~Lots under 3,000 square feet: 1 space per triplex.~~ ~~Lots 3,000 square feet to 4,999 square feet: 2 spaces per triplex.~~ ~~Lots 5,000 square feet and over: 3 spaces per triplex.~~
Fourplex (see (6) below)	N/A~~Lots 3,000 square feet to 4,999 square feet: 2 spaces per fourplex.~~ ~~Lots 5,000 square feet to 6,999 square feet: 3 spaces per fourplex.~~ ~~Lots 7,000 square feet and over: 4 spaces per fourplex.~~
Cottage Cluster (see (6) below)	N/A~~1 per dwelling~~
Multiple-Unit Dwellings not specifically addressed elsewhere in this Table.	1.2 spaces for each studio-unit 1.25 spaces per 1- or 2- bedroom dwelling unit 2 spaces per 3- or more bedroom dwelling unit

~~Multiple-Unit Dwellings in the R-3 and R-4 zones within the boundaries of the City recognized West University Neighbors and South University Neighborhood Association~~	~~1 space for each studio, 1 bedroom or 2 bedroom dwelling~~ ~~1.5 spaces for each 3 bedroom dwelling*~~ ~~*.5 spaces required for each additional bedroom beyond a 3 bedroom dwelling.~~ ~~Fractions of .5 or more are rounded up to the next whole number. Rounding shall occur after the total number of minimum spaces is calculated for the multi-unit development~~. ~~One tandem space shall be counted as two parking spaces. Tandem spaces shall not be allowed for studio or 1- or 2-bedroom dwellings.~~
~~Multiple-Unit Subsidized Low-Income Housing in any area (see (5) below)~~	~~.67 per dwelling or 3 spaces, whichever is greater~~
~~Multiple-Unit Subsidized Low-Income Senior Housing in any area (see (5) below)~~	~~.33 per dwelling or 3 spaces, whichever is greater~~
~~Multiple-Unit Subsidized Low-Income Disabled Housing in any area (see (5) below)~~	~~.33 per dwelling or 3 spaces, whichever is greater~~
~~Multiple-Unit Subsidized Low-Income Senior Housing Partial in any area (see (5) below)~~	~~.67 per dwelling or 3 spaces, whichever is greater~~
~~Multiple-Unit Subsidized Low-Income Specialized Housing in any area (see (5) below)~~	~~.33 per dwelling or 3 spaces, whichever is greater~~
Manufactured Home Park	1.25 per dwelling.
Controlled Income and Rent Housing (CIR) where density is above that usually permitted in the zoning, yet not to exceed 150%	1.25 per dwelling.
Assisted Care & Day Care	
– Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)	1.25 for each 4 beds.
– Assisted Care (6 or more people living in facility)	1.25 for each 4 beds.
– Day Care (4 to 16 people served)	1.12~~.9~~ for each employee not living in home on site at the same time.

– Day Care (17 or more people served)	1.12~~.9~~ for each employee not living in home on site at the same time.
Rooms for Rent	
– Boarding and Rooming House	1.25 per guest room.
– Campus Living Organizations, including Fraternities and Sororities	1.25 for each 3 occupants for which sleeping facilities are provided.
– Single Room Occupancy	1.25 per dwelling (4 single rooms are equal to 1 dwelling).
– University and College Dormitories	1.25 for each 3 occupants for which sleeping facilities are provided.
Trade (Retail and Wholesale)	
Agricultural Machinery Rental/Sales/Service	1.25 per each 440 square feet of floor area.
Appliance Sales/Service	1.25 per each 660 square feet of floor area.
Boat and Watercraft Sales/Service	1.25 per each 660 square feet of floor area.
Building Materials and Supplies	1.25 per each 660 square feet of floor area.
Convenience Store	1.25 per each 330 square feet of floor area.
Equipment, Light, Rental/Sales/Service	1.25 per each 440 square feet of floor area.
Equipment, Heavy, Rental/Sales/Service – includes truck and tractor sales	1.25 per each 440 square feet of floor area.
Furniture and Home Furnishing Store	1.25 per each 660 square feet of floor area.
Garden Supply/Nursery	1.25 per each 660 square feet of floor area.
General Merchandise (includes supermarket and department store)	1.25 per each 330 square feet of floor area.
Hardware/Home Improvement Store	1.25 per each 660 square feet of floor area.
Healthcare Equipment and Supplies	1.25 per each 330 square feet of floor area.
Liquor Store	1.25 per each 330 square feet of floor area.
Manufactured Dwelling Sales/Service/Repair	1.25 per each 330 square feet of floor area.

Office Equipment and Supplies	1.25 per each 330 square feet of floor area.
Outdoor Merchandise Display	– 0 –
Plumbing Supplies and Services	1.25 per each 660 square feet of floor area.
Retail Trade when secondary, directly related, and limited to products manufactured, repaired, or assembled on the development site	1.25 per each 330 square feet of floor area.
Shopping center with at least one supermarket or variety store and 50,000 square feet of gross floor area	1.25 per each 330 square feet of floor area.
Specialty Store (An example includes a gift store)	1.25 per each 330 square feet of floor area.
Storage Facility, Household/Consumer Goods	1.25 per each 330 square feet of floor area of the office space.
Wholesale, Warehousing, and Distribution	1.25 per each 1650 square feet of floor area.
Utilities and Communication	
Amateur Radio Antenna Structure (See EC 9.5050)	N/A ~~– 0 –~~
Broadcasting Studio, Commercial and Public Education	1.25 per each 330 square feet of floor area.
Electrical Substation	N/A ~~– 0 –~~
Fiber Optic Station	N/A ~~– 0 –~~
Pump Station	N/A ~~– 0 –~~
Telecommunication Facility (Refer to EC 9.5750)	N/A ~~– 0 –~~
Water Reservoir, elevated above ground level	N/A ~~– 0 –~~
Other Commercial Services	
Building Maintenance Service	1.25 per each 550 square feet of floor area.
Catering Service	1.25 per each 550 square feet of floor area.
Cemetery, Includes crematoria, columbaria, or mausoleums	1.25 per each full-time employee.
Collection Center, Collection of Used Goods (See EC 9.5150)	~~– 0 –~~ N/A
Garbage Dump, sanitary landfill	1.25 per each 550 square feet of floor area.
Heliport and Helistop	Parking requirements determined based on a Type III review.

Home Occupation (See EC 9.5350)	~~– 0 –~~ N/A
Kennel	1.25 per 550 square feet of floor area.
Model Home Sales Office (See EC 9.5450)	1.25 per 330 square feet of floor area.
Mortuary	1.25 per 4 fixed seats or 8 feet of bench length or every 28 square feet in main auditorium where no permanent seats or benches are maintained (sanctuary or place of worship).
Photographers' Studio	1.25 per each 550 square feet of floor area.
Picture Framing and Glazing	1.25 per each 550 square feet of floor area.
Printing, Blueprinting, Duplicating	1.25 per each 550 square feet of floor area.
Publishing Service	1.25 per each 550 square feet of floor area.
Temporary Activity (See EC 9.5800)	– 0 –
Train Station	Parking ~~requirements~~ Maximum determined based on a Type II or Type III review.
Upholstery Shop	1.25 per each 550 square feet of floor area.
Veterinarian Service	1.25 per each 250 square feet of floor area.
Wildlife Care Center	1.25 per each 660 square feet of floor area.

~~(4) *Parking Exempt Areas*. Uses within the parking exempt areas are not subject to the requirements of EC 9.6410(3) Minimum Number of Required Off-Street Parking Spaces:~~

~~(a) Downtown and West University, as depicted on Map 9.6410(4)(a).~~

~~(b) Blair Boulevard Historic Commercial area as depicted on Map 9.6410(4)(b).~~

~~(5) *Special Standards for Table 9.6410*. For Multiple-Unit Subsidized Low-Income Housing, Subsidized Low-Income Senior Housing, Subsidized Low-Income Senior Housing Partial, and Subsidized Low-Income Specialized Housing, the following standards apply:~~

~~(a) At the time of building permit submittal, the applicant must submit documentation demonstrating that the housing units will be used for the intended population for a minimum of ten years. Such documentation may include, but is not limited to, an application form submitted to receive subsidy from the city or state.~~

~~(b) Upon a change in occupancy from subsidized housing to another use, the minimum number of required off-street parking spaces is as required for the new use.~~

~~(6) *Special Standards for Middle Housing.*~~

~~(a) On-Street Parking Credit.~~

~~1. A credit for on-street parking shall be granted as provided in subsection 2 of this section.~~

~~2. If on-street parking spaces meet all the standards in subparagraphs a – d below, they may be counted toward the minimum off-street parking requirement for a middle housing development.~~

~~a. Any length of an on-street parking space is abutting the middle housing development site. If two middle housing development sites abut a space, both sites may count the space toward their respective requirements.~~

~~b. The space is in a location where on-street parking is permitted by the City of Eugene.~~

~~c. The space must be a minimum of 22 feet long.~~

~~d. The space must not obstruct a required Vision Clearance Area.~~

~~3. The portion of a street abutting a middle housing development site is not eligible for on-street parking credits if:~~

~~a. The portion of the street abutting a middle housing development does not meet the paving width standards in EC 9.6870 and is not a City of Eugene right-of-way or maintained by the City of Eugene; or~~

~~b. The portion of the street abutting a middle housing development is subject to metered or timed parking restrictions imposed by the City of Eugene, other than residential parking permit programs.~~

~~(b) *Proximity to Transit*. No off-street parking spaces are required for middle housing dwelling units on lots located within ¼ mile walking distance from an EmX station, as shown on the overview map and map tiles that together comprise Figure 9.6410(6)(b), Middle Housing Parking Incentive – Proximity to Transit.~~

~~(c) *Reduced Parking for Income-Qualified Middle Housing*. When at least 50 percent of the dwelling units in a duplex, triplex, fourplex, townhouse project, or cottage cluster qualify as income-qualified middle housing, the minimum off-street parking requirement shall be reduced by one space per income-qualified unit. In calculating the number of income-qualified middle housing units, fractional dwelling units shall be rounded down to the nearest whole number (for example, 50 percent of the units in a triplex equals 1.5 units, so at least 1 unit must be income-qualified to for the triplex to qualify for the parking reduction pursuant to this subparagraph).~~

~~(d) *Conversions*. No additional off-street parking spaces shall be required for middle housing conversion.~~

Section 29. Subsection (3) of Section 9.6415 of the Eugene Code, 1971, is amended to provide as follows:

9.6415 Loading and Drive-Through Design Standards.

***

(3) *Loading and Service Drives*. All loading ~~spaces~~ areas for commercial and employment and industrial buildings and uses shall be off the street~~, shall be in addition to required off-street parking spaces,~~ and shall be served by service drives and maneuvering areas so that no backward movement or other vehicle maneuvering within a street, other than an alley, will be required.

Section 30. Figure 9.6420(3)(c)2. is amended as shown in Exhibit B to this Ordinance, and Section 9.6420 of the Eugene Code, 1971, is amended by: amending subsection (1)(a); amending Table 9.6420(1); amending subsection (3)(a)1.; amending subsections (3)(a)2.a., (3)(a)2.b., and (3)(a)2.d.; amending subsection (3)(c)2.; adding a new subsection (4); renumbering subsection (4) as (5); amending subsection (5) and renumbering it as (6); renumbering subsection (6) as (7); and adding subsections (8) and (9) to provide as follows:

9.6420 Parking Area Standards.

(1) *Dimensions and Striping.* All parking spaces shall be striped or marked in a manner consistent with Table 9.6420(1) Motor Vehicle Parking Dimensions. All tandem parking spaces shall be striped and marked in a manner consistent with Table 9.6420(1) Motor Vehicle Parking Dimensions for Tandem Parking. (See Figure 9.6420(1) Motor Vehicle Parking Dimensions.)

(a) *Carpool and Vanpool Parking.* New commercial ~~and employment and industrial~~ developments with ~~20 or more employee parking spaces shall designate at least 5 percent of the employee parking spaces~~ designated employee parking areas shall provide preferential parking for carpools and~~or~~ vanpools~~ parking~~. Employee carpool and vanpool parking shall be located closer to the building entrance or the employee entrance than other employee parking with the exception of parking for those with disability permits. The carpool/vanpool spaces shall be clearly marked "Reserved – Carpool/Vanpool Only" by use of signs painted on the parking spaces or posted.

Table 9.6420(1) Motor Vehicle Parking Dimensions
(Dimensions in Feet)

Parking Angle in Degrees	Minimum Stall Width	Minimum Stall Depth	Minimum Clear Aisle Width	Stall Distance at Bayside	Minimum Clear Bay Width
Parallel	8.0	7.5	12.0	~~15~~20.0	19.5

	8.0	8.0	12.0	22.0	20.0
30 degrees/single	8.0	*14	12.0	15.0	26.0
	8.0	16.0	12.0	16.0	28.0
	8.5	16.4	12.0	17.0	28.4
	9.0	16.8	12.0	18.0	28.8
	9.5	17.3	12.0	19.0	29.3
	10.0	17.7	12.0	20.0	29.7
30 degrees/tandem	8.0	30.8	12.0	15.0	–
	8.0	32.0	12.0	16.0	–
	8.5	32.8	12.0	17.0	–
	9.0	33.6	12.0	18.0	–
	9.5	34.6	12.0	19.0	–
	10.0	35.4	12.0	20.0	–
45 degrees/single	8.0	*16.0	12.0	10.6	28.0
	8.0	18.4	14.0	11.3	32.4
	8.5	18.7	13.5	12.0	32.2
	9.0	19.1	13.0	12.7	32.1
	9.5	19.4	13.0	13.4	32.4
	10.0	19.8	13.0	14.1	32.8
45 degrees/tandem	8.0	35.1	12.0	10.6	–
	8.0	36.8	14.0	11.3	–
	8.5	37.4	13.5	12.0	–
	9.0	38.2	13.0	12.7	–
	9.5	38.8	13.0	13.4	–
	10.0	39.6	13.0	14.1	–
60 degrees/single	8.0	*16.7	15.0	8.6	31.7
	8.0	19.7	19.0	9.2	38.7
	8.5	20.0	18.5	9.8	38.5
	9.0	20.3	18.0	10.4	38.3
	9.5	20.5	18.0	11.0	38.5
	10.0	20.8	18.0	11.5	38.8

60 degrees/tandem	8.0	37.0	15.0	8.6	–
	8.0	39.4	19.0	9.2	–
	8.5	40.0	18.5	9.8	–
	9.0	40.6	18.0	10.4	–
	9.5	41.0	18.0	11.0	–
	10.0	41.6	18.0	11.5	–
90 degrees/single	8.0	*15.0	22.0	8.0	37.0
	8.0	18.0	25.0	8.0	43.0
	8.5	18.0	25.0	8.5	43.0
	9.0	18.0	24.0	9.0	42.0
	9.5	18.0	24.0	9.5	42.0
	10.0	18.0	24.0	10.0	42.0
90 degrees/tandem	8.0	33.0	22.0	8.0	–
	8.0	36.0	25.0	8.0	–
	8.5	36.0	25.0	8.5	–
	9.0	36.0	24.0	9.0	–
	9.5	36.0	24.0	9.5	–
	10.0	36.0	24.0	10.0	–
Shaded figures are the minimum dimensions for compact parking spaces. Any minimum parking dimensions, such as stall width, may be exceeded. All spaces shall be clearly marked as compact parking spaces if any of the parking dimensions are less than that shown in the unshaded area. All tandem spaces must be marked as such. * For non-parallel parking spaces that are created to serve a multi-unit dwelling and that are located directly off an alley with a right-of-way width of 14-feet or less, the minimum stall depth for compact parking space shall be increased to the minimum stall depth indicated for a non-compact space with a minimum stall width of 8-feet.					

(2) *Drainage*. All parking areas, except those in conjunction with a single-unit or duplex dwelling, shall be graded so as not to drain storm water over the public sidewalk or onto any abutting property. Drainage improvements shall be provided as required by the stormwater provisions of EC 9.6790 to 9.6797.

(3) *Landscape Standards*.

(a) Applicability of Parking Area Landscape Standards.

1. General Provisions. Subject to any exceptions therein, the standards in subparagraphs (b) – (e) apply to ~~all~~ parking and loading areas, including carports, that provide for 3 or more spaces and to all vehicle use and/or loading areas that exceed 500 square feet, except for the following:

a. A parking area for a single-unit dwelling, accessory dwelling, or middle housing.

b. A structured parking area. See subsection (3)(f).

c. A legal non-conforming parking area. See subsection (3)(a)(2).

2. Provisions Applicable to Legal Non-Conforming Parking Areas. Parking areas with legal non-conforming landscaping are subject to the following parking area landscape standards:

a. When a new building is constructed, the parking area landscape standards in subparagraphs (b) – (e) shall apply to ~~a portion of the parking area sufficient to meet the requirements of EC 9.6410(3) Minimum Number of Required Off-Street Parking Spaces and to~~ any ~~additional~~ new parking area proposed by the applicant to serve the ~~entire~~ building.

b. When a building is expanded, the parking area landscape standards in subparagraphs (b) – (e) shall apply to ~~a portion of the parking area that is sufficient to meet the requirements of EC 9.6410(3) Minimum Number of Required Off-Street Parking Spaces for the expanded area of the building and to~~ any ~~additional~~ new parking area proposed by the applicant to serve the expanded area of the building.

c. When a legal non-conforming parking area is physically expanded in size (not simply changed to increase, decrease, or reconfigure the number of parking spaces) the parking area landscape standards in subparagraphs (b) – (e) shall apply only to the expanded portion of the parking area.

d. When a legal non-conforming gravel parking area is paved, the parking area landscape standards in subparagraphs (b) – (e) shall apply only to the newly paved portion of the parking area.

***

(c) Parking Area Landscaping Along Street and Driveway Entrances.

1. Parking areas within 50' of a street, except an alley, shall provide a landscape strip between the street and the parking areas as follows:

a. In all areas except in the /TD overlay zone, a landscape strip at least 7 feet in width shall be provided.

b. Within a /TD overlay zone, a landscape strip at least 5 feet in width shall be provided.

c. Landscape strips along a street may be pierced by pedestrian and vehicular accessways. Landscape strips along a street shall be landscaped according to the

standards in EC 9.6210(2) Low Screen Landscape Standard (L-2). (See Figure 9.6420(3)(c)1. Parking Area Landscaping Along a Street and Figure 9.6420(3)(c)2. Parking Area Landscaping Along a Driveway Entrance.)

2. Parking area driveway entrances, except at alleys, shall be provided with a landscape strip at least 7 feet in width, measured from the outside edges of 6 inch wide curbs, and the full length of the parking stall, between the entry drive and the parking area to heighten entryway visibility and improve parking area circulation. Entrance driveway landscape strips shall be landscaped according to the standards in EC 9.6210(2) Low Screen Landscape Standard (L-2) ~~except the height of the low screen within vision clearance area shall not exceed 18 inches~~. (See Figure 9.6420(3)(c)2. Parking Area Landscaping Along a Driveway Entrance.)

***

(4) *Large Parking Areas.*

(a) Except as provided in subparagraph (c) of this subsection (4), in addition to applicable provisions contained elsewhere in this code, the standards in subparagraphs (d)-(f) of this subsection (4) apply to any development that includes surface parking area of more than 21,780 square feet on a development site.

(b) For purposes of this subsection (4), a surface parking area shall be measured around the perimeter of all surface parking spaces and include drive aisles, maneuvering areas, required interior parking area landscaping, required curbs, and any driveways that provide direct access to parking spaces. Pedestrian paths and walkways, stormwater detention facilities that are not part of required interior parking area landscaping, and marked pedestrian crossings may be excluded from the surface parking area measurement.

(c) The requirements of this subsection (4) do not apply to structured parking, loading areas, or any surface parking area in existence as of XXXX XX, 20XX [Effective Date of Ordinance].

(d) A development that includes surface parking area of more than 21,780 square feet on a development site must comply with one of the following:

1. Solar panels. Installation of solar panels with a generation capacity of at least 0.5 kilowatt per parking space. Panels may be located anywhere on the development site.

2. Public building. A development that includes a public building as defined in OAR 330-135-0020 may comply with the requirements of Chapter 330, Division 135 of the Oregon Administrative Rules

3. Tree canopy plan. To comply with this requirement, a tree canopy plan must be provided at the time of development. The tree canopy plan must be signed by a licensed landscape architect or certified arborist and demonstrate the following:

a. A tree canopy covering at least 40 percent of the surface parking area will be achieved no more than 15 years after planting.

b. Tree species must be selected from the list of tree species adopted by the City Manager pursuant to EC 7.280 and EC 2.019, or the plant materials list adopted by the City Manager pursuant to EC 9.6207 and EC 2.019.

c. Development of a tree canopy plan must be done in coordination with the local electric utility provider. To demonstrate compliance with this requirement, documentation from the local electric utility provider and an Oregon licensed landscape architect or certified arborist must be provided at the time of development documenting how the developer will coordinate with the local electric utility provider during pre-design, design, building, and maintenance phases of the development.

e. Tree Canopy Calculation Requirements:

1. Calculations used to determine canopy coverage must be measured using a plan view of the tree canopy plan and must be based on the expected diameter of the tree crown at 15 years.

2. Existing trees to be preserved may be counted utilizing their canopy diameter at the time of submission of the tree canopy plan.

(e) *Driveways*. The following standards apply to new driveways:

1. In lieu of canopy trees required for landscaping requirements at EC 9.6205, trees must be provided along driveways at a spacing that will achieve a continuous canopy within 15 years after planting. Tree species must be selected from the list of tree species adopted by the City Manager pursuant to EC 7.280 and EC 2.019, or the plant materials list adopted by the City Manager pursuant to EC 9.6207 and EC 2.019. When trees of different size categories are planted next to each other the lesser of the two spacing requirements shall apply unless documentation from an Oregon licensed landscape architect or certified arborist is provided that states that an alternative spacing will achieve a closed canopy within 15 years after planting.

2. Street-like Design Features. Driveways must include curbs and pedestrian facilities that prioritize a pedestrian environment by meeting the following standards:

a. Except where interrupted by drive aisles or other driveways, parking area driveway entrances shall include a landscape strip at least 7 feet in width along the full length of the driveway. Driveway landscape strips shall be landscaped according to the standards in EC 9.6210(2) Low Screen Landscape Standard (L-2) except the required trees must be provided in accordance with EC 9.6420(4)(d)3. The width of a driveway landscape strip shall be measured from the outside edges of the curbs.

b. On-site pedestrian paths, a minimum of 5 feet in width, are required on at least one side along the entire length of the driveway. Required on-site pedestrian paths shall provide a connection between a public way and a main building entrance or an internal on-site pedestrian path that complies with the requirements of EC 9.6730. On-site pedestrian paths shall be constructed of concrete, a comparable hard surface material, or any pervious surface that complies with the Americans with Disabilities Act.

c. Pedestrian paths that cross vehicle use areas must be raised to curb height or constructed with a contrasting paving material to indicate a pedestrian crossing area. Striping alone is not allowed.

(f) *Planting and Tree Care Standards*. In addition to the requirements at EC 9.6220 and 9.6225, the following requirements apply to trees required by this subsection (4).

1. At the time of planting, trees used to comply with the requirements of this subsection (4) must be fully branched and must be at least 6 feet in height or have a minimum trunk diameter of 2 inches.

2. Ongoing maintenance of trees required by this subsection (4) is the responsibility of the property owner.

3. Tree planting and maintenance must meet or exceed the 2021 American National Standards Institute A300 standards.

4. Any trees used to comply with this standard shall be replaced at a ratio of 1:1 within one calendar year of removal.

~~(4)~~(5) *Lighting*. Parking area lights shall conform with the standards in EC 9.6725 Outdoor Lighting Standards.

~~(5)~~(6) *Loading and Service Drives.*

(a) When 3 or more parking spaces or a~~1 or more l~~Loading ~~spaces~~ Area are provided on a development site, except those provided in conjunction with a single-unit dwelling or middle housing on a single lot and those located along alleys, they all shall be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street will be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide safety for traffic ingress and egress, and safety of pedestrian and vehicular traffic on the site. In no case shall two-way and one-way driveways be less than 20 feet wide and 12 feet wide respectively. ~~Up to 2 existing parking spaces serving an existing single-unit dwelling or duplex are not included in the total number of spaces at the time of redevelopment, if the existing spaces are in a different location than new parking spaces and the single-unit dwelling or duplex will remain on the development site.~~

(b) No service drive is required for parking spaces located along alleys.

~~(6)~~(7) *Surfacing and Bumpers.*

(a) All parking areas that contain 3 or more parking spaces, access aisles, service drives, or loading areas on a development site, except those in conjunction with single-unit or duplex residences, shall have a durable, dust-free surfacing of asphaltic concrete, Portland cement concrete or other approved materials. Other approved materials may include pervious paving materials.

(b) Areas on a development site used for the outdoor sale of vehicles are required to be paved, except for areas used for the sales or storage of tracked heavy equipment, mobile homes, or manufactured homes. A paved access aisle a minimum of 12 feet in width is required adjacent to all unpaved long-term vehicle storage spaces.

(c) All parking areas that contain 3 or more parking spaces on a development site or have outdoor vehicle sales, except those required in conjunction with a single-unit or duplex dwelling, shall provide a substantial bumper at least 2 feet from the protected area that will prevent vehicles from encroachment on abutting property or into required landscape beds or required pedestrian paths.

(8) *Electric Vehicle Charging.*

(a) The requirements of this subsection (8) apply to:

1. New multi-use dwellings; and

2. New mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units.

(b) The developments described in subparagraph (a) of this subsection (8), shall include electrical service capacity as defined in ORS 455.417 to support electrical vehicle charging for 40 percent of all parking spaces on the development site.

(c) Electric Vehicle Charging stations and ancillary equipment are permitted within required parking landscaping areas. If Electric Vehicle Charging stations and/or ancillary equipment are located within required parking area landscaping areas, the stations and/or equipment, when viewed from above, shall not constitute more than 10 percent of the total area of required parking area landscaping.

(d) Electric Vehicle Charging stations and ancillary equipment are permitted within required setbacks if the height of the charging station and/or ancillary equipment is no more than 42 inches.

(e) Any signage associated with Electric Vehicle Charging shall comply with the Sign Standards beginning at EC 9.6600.

(9) *Parking Areas for Large Developments.*

For new developments that include more than 65,000 square feet of floor area, the total surface parking area may not be greater than the floor area of the building. The "total surface parking area" for a development subject to the requirements of this subsection (9) shall be measured around the perimeter of all new surface parking spaces and include drive aisles, maneuvering areas, required interior parking area landscaping, required curbs, and any driveways that provide direct access to parking spaces. Pedestrian paths and walkways, stormwater detention facilities that are not part of required interior parking area landscaping, and marked pedestrian crossings may be excluded from the surface parking area measurement.

Section 31. Section 9.6430 of the Eugene Code, 1971, is amended to provide as follows:

9.6430 Shared Off-Street Parking.

When 2 or more uses share common parking facilities, the ~~total~~ maximum number of allowed parking spaces ~~required~~ shall be the sum of all the spaces ~~required~~ allotted for those uses

individually. ~~unless a reduction is allowed under EC 9.6410(3)(a), or an adjustment is authorized pursuant to the criteria of EC 9.8030(10)(c) of this land use code.~~

Section 32. Subsection (6) of Section 9.6435 of the Eugene Code, 1971, is amended to provide as follows:

9.6435 Special Event Permanent Parking Facilities.

***

(6) *Minimum Number of Trees*. Trees shall be provided on the development site in the amounts described in EC 9.6420~~(3)(b)~~, but need not be evenly distributed throughout the parking area.

Section 33. Section 9.6440 of the Eugene Code, 1971, is amended to provide as follows:

9.6440 Adjustments to Motor Vehicle Parking and Loading Standards.

Adjustments may be made to the standards in EC 9.6410(2), 9.6415, 9.6420(3), and ~~through~~ 9.6435 if consistent with the criteria in EC 9.8030(10) Motor Vehicle Parking and Loading Standards Adjustments of this land use code.

Section 34. Subsection (2)(d) of Section 9.6794 of the Eugene Code, 1971, is amended to provide as follows:

9.6794 Stormwater – Oil Control

(1) *Purpose*. The purpose of EC 9.6794 is to protect the city's stormwater system from oil and grease from stormwater runoff of impervious surface areas on properties that produce high concentrations of these pollutants.

(2) *Applicability*. Oil control standards set forth in EC 9.6794(3) apply to:

(a) All new commercial and employment and industrial development with parking lots that store wrecked or impounded vehicles; or

(b) Any development that would result in an expected daily traffic count greater than one hundred vehicles per 1,000 square feet of gross building area, based on the most recent version of The Institute of Transportation Engineers' Trip Generation Manual; or

(c) Any development that would result in 100 or more off-street parking spaces; or

(d) Any commercial or employment and industrial development that receives an adjustment approving the installation ~~of 125 percent or more~~ of more than the ~~minimum~~ maximum off-street parking spaces ~~required~~ allowed by EC 9.6410(~~3~~2), ~~Minimum~~ Maximum Number of ~~Required~~ Off-Street Parking Spaces and that adjustment will result in, at least, a total of 10 parking spaces.

Section 35. Subsection (4) of Section 9.6810 of the Eugene Code, 1971, is amended to provide as follows:

9.6810 Block Length.

***

(4) Block length may be adjusted in accordance with EC 9.8030(29~~38~~) for applications proposing housing to be reviewed with clear and objective approval criteria.

Section 36. Subsection (2)(i) of Section 9.6815 of the Eugene Code, 1971, is amended to provide as follows:

9.6815 Connectivity for Streets.

***

(2) *Street Connectivity Standards.*

***

(i) Street connectivity standards may be adjusted in accordance with EC 9.8030(29~~38~~) for applications proposing housing to be reviewed with clear and objective approval criteria.

Section 37. Subsection (6) of Section 9.6820 of the Eugene Code, 1971, is amended to provide as follows:

9.6820 Cul-de-Sacs or Emergency Vehicle Turnarounds.

***

(6) Cul-de-sacs or emergency vehicle turnarounds standards may be adjusted in accordance with EC 9.8030(29~~38~~) for applications proposing housing to be reviewed with clear and objective approval criteria.

Section 38. Section 9.8030 of the Eugene Code, 1971, is amended by amending subsection (10)(a); deleting subsections (10)(a)1. through (10)(a)4.; adding new subsections (10)(a)1. through (10)(a)3.; deleting subsection (10)(d); renumbering subsection (10)(e) as (10)(d); amending subsection (29); and deleting subsection (38) as follows:

9.8030 Adjustment Review – Approval Criteria.

The planning director shall approve, conditionally approve, or deny an adjustment review application. Approval or conditional approval shall be based on compliance with the following applicable criteria.

***

(10) *Motor Vehicle Parking and Loading Standards Adjustment*. Where this land use code provides that the motor vehicle parking standards may be adjusted, the standards may be adjusted upon finding the applicable corresponding criteria are met.

(a) *Maximum Number of ~~Required~~ Off-Street Parking Spaces*. Except within a /TD Overlay Zone, an adjustment that approves installation up to 120 percent of the maximum spaces permitted by EC 9.6410(2), Maximum Number of Off-Street Parking Spaces, may be allowed, if all of the following criteria are met: ~~Adjustments may be made to the required number of off-street parking space provisions of EC 9.6410 based on the following criteria:~~

1. Additional parking is necessary to meet the parking demand for a specific use as demonstrated by a parking- traffic study prepared by a traffic engineer.

2. At least 60 percent of the parking lot is allocated and striped for compact cars; or the tree canopy coverage of all surface area parking, as calculated at EC 9.6420(4)(a)2. is equal to or greater than 50% and meets the requirements of EC 9.6420(4)(a)2.

3. A proposed Transportation Demand Management (TDM) Program has been approved by the city that contains strategies for reducing vehicle use and parking demand generated by the development and establishes benchmarks by which the program's effectiveness will be measured annually.

~~1. Except as provided in subsection (a)2., below, the minimum required off-street parking spaces may be reduced by up to 50 percent when the applicant for a development can demonstrate, in a parking-traffic study prepared by a traffic engineer, that both of the following conditions exist:~~

~~a. The use of alternative modes of transportation, including transit, bicycles, and walking, and/or special characteristics of the customer, client, employee or resident population will reduce expected vehicle use and parking space demand for this development, as compared to standard Institute of Transportation Engineers vehicle trip generation rates and minimum city parking requirements.~~

~~b. A proposed Transportation Demand Management (TDM) Program has been approved by the city that contains strategies for reducing vehicle use and parking demand generated by the development and establishes benchmarks by which the program's effectiveness will be measured annually. The city may waive the preparation of a TDM plan if the requirement set forth in EC 9.8030(10)(a)1.a. can otherwise be satisfied.~~

~~2. Within the S-DR zone, the minimum required off-street parking spaces may be reduced by up to 35 percent when the applicant for a development can demonstrate that, in a parking-traffic study prepared by a transportation engineer, that the following conditions exist:~~

~~a. Market conditions, use of alternative modes of transportation, including transit, bicycles, and walking, and/or special characteristics of the customer, client, employee or resident population will reduce expected vehicle use and parking space demand for this development, as compared to standard Institute of Transportation Engineers vehicle trip generation rates and minimum city parking requirements.~~

~~b. A proposed Transportation Demand Management (TDM) Program has been approved by the city that contains strategies for reducing vehicle use and parking demand generated by the development and establishes benchmarks by which the program's effectiveness will be measured annually. The city may waive the preparation of a TDM plan if the requirement set forth in EC 9.8030(10)(a)2.a. can otherwise be satisfied.~~

~~3. In the case of an existing use proposing to provide a transit stop and related amenities such as a public plaza, pedestrian sitting areas, transit-supportive development, and additional landscaping, the number of required off-street parking spaces may be reduced by up to 10 percent.~~

~~4. Except within a /TD overlay zone, an adjustment that approves installation up to 150 percent of the minimum spaces required by EC 9.6410(3), Minimum Number of Required Off-Street Parking Spaces, may be allowed, if all of the following are met:~~

~~a. Additional parking is necessary to meet the parking demand for a specific use.~~

~~b. Shared use of parking is not available or adequate to meet the demand.~~

~~c. At least 60 percent of the parking lot is allocated and striped for compact cars.~~

~~d. An employee-based Transportation Demand Management Program has been approved by the city, and annual reports thereon are subsequently provided to the city.~~

***

~~(d) *Shared Off-Street Parking*. The shared off-street parking space requirements of EC 9.6430 may be adjusted as follows:~~

~~1. Joint Use at Different Times. The joint use of required facilities at different times may be allowed provided all of the following exist:~~

~~a. The applicant shows there will be no substantial conflict in the principal operating hours of the buildings or uses for which the joint parking use is proposed.~~

~~b. The parking facility will be within 1/4 mile or 1,320 feet of buildings or uses it will serve.~~

~~c. The parties involved in the joint parking facility agree to the joint use arrangement in a legal document approved by the city attorney.~~

~~d. The legal document is recorded in the office of the Lane County recorder and a copy filed with the city's Building and Permit Services Division.~~

~~2. Joint Use Simultaneously. The simultaneous joint use of required facilities may be allowed provided all of the following exist:~~

~~a. No more than 2 uses under separate ownership or occupancy shall be involved.~~

~~b. The uses will occur on the same development site.~~

~~c. It can be reasonably anticipated that a number of customers or clients will be served by both uses while on the development site.~~

~~The determination of the number of required off-street parking spaces under 1. or 2. of this subsection shall be based on a review of Table 9.6410 Required Off-Street Motor Vehicle Parking, operating characteristics and the conditions noted above.~~

(d~~e~~) *Special Event Permanent Parking Facilities*. The standards of EC 9.6435 for permanent parking facilities for special events may be adjusted provided the proposal results in the development of attractive, safe, and efficient special event parking areas.

***

(29) ~~*S-WS Walnut Station Special Area Zone Off-Street Parking Spaces Adjustment*. An adjustment allowing a 25 percent reduction in the minimum required off-street parking spaces pursuant to EC 9.3970(4)(a), if the applicant demonstrates that a proposed Transportation Demand Management (TDM) Program approved by the city contains strategies for reducing vehicle use and parking demand generated by the development and establishes benchmarks by which the program's effectiveness will be measured annually.~~ *Street Standards Adjustment*. Where this land use code provides that street standards may be adjusted, the standards may be adjusted upon a demonstration by the applicant that the requested adjustment is consistent with the following:

(a) The applicant has submitted a report prepared by an Oregon licensed civil engineer that demonstrates it is not technically or financially feasible to construct the street in accordance with adopted plans and policies, and the adopted "Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeways, and Accessways."

(b) The adjustment is necessary due to at least one of the following conditions:

1. Existing on-site or off-site geologic or topographic conditions, or existing wetlands designated for protection by the City of Eugene; or

2. Existing development on lands abutting the development site.

***

~~(38) Street Standards Adjustment. Where this land use code provides that street standards may be adjusted, the standards may be adjusted upon a demonstration by the applicant that the requested adjustment is consistent with the following:~~

~~(a) The applicant has submitted a report prepared by an Oregon licensed civil engineer that demonstrates it is not technically or financially feasible to construct the street in accordance with adopted plans and policies, and the adopted "Design Standards and Guidelines for Eugene Streets, Sidewalks, Bikeways, and Accessways."~~

~~(b) The adjustment is necessary due to at least one of the following conditions:~~

~~1. Existing on-site or off-site geologic or topographic conditions, or existing wetlands designated for protection by the City of Eugene; or~~

~~2. Existing development on lands abutting the development site.~~

Section 39. Section 9.8615 of the Eugene Code, 1971, is amended by deleting subsection (3) and renumbering subsections (4) through (16) to provide as follows:

9.8615 Temporary Manufactured Dwelling Hardship Permit Approval Criteria.

A temporary manufactured dwelling hardship permit shall be granted if all of the following are met:

***

~~(3) An on-site parking space in addition to that required for the primary dwelling unit must be provided if the resident of the temporary manufactured dwelling owns or operates a vehicle.~~

~~(4)~~(3) The temporary manufactured dwelling is limited to a single-wide manufactured dwelling with no more than two bedrooms.

~~(5)~~(4) The temporary manufactured dwelling must be set back a minimum of 10 feet from the primary dwelling and all interior property lines.

~~(6)~~(5) The temporary manufactured dwelling must be located to the rear of the primary dwelling unit (except on corner lots).

~~(7)~~(6) A pedestrian and vehicular access drive to the temporary manufactured dwelling (capable of supporting the weight of emergency vehicles) shall be maintained for the purposes of emergency access and future removal of the manufactured dwelling.

~~(8)~~(7) The placement of the temporary manufactured dwelling shall not require a permanent foundation, filling, or grading.

~~(9)~~(8) The temporary manufactured dwelling must be screened from abutting properties with a 75 percent opaque site-obscuring fence, wall, or vegetation 6 feet in height. This requirement can be met by existing or new materials.

~~(10)~~(9) The temporary manufactured dwelling must be equipped with skirting that in design, color, and texture appears to be an integral part of the adjacent exterior wall of the manufactured dwelling.

~~(11)~~(10) The temporary manufactured dwelling must be connected to an on-site sewer system serving an existing dwelling on the same lot.

~~(12)~~(11) Construction and installation of plumbing, gas, piping, electrical equipment, wiring, tie-downs, over-the-top ties, and skirting must comply with all applicable federal, state and local rules and regulations.

~~(13)~~(12) Temporary manufactured dwellings must comply with the solar access setback standards with respect to structures on adjacent lots.

~~(14)~~(13) The temporary manufactured dwelling must comply with all applicable federal, state, and local special flood hazard area rules and regulations.

~~(15)~~(14) Within 60 days of the date that the hardship for which a temporary manufactured dwelling hardship permit has been issued ceases, the temporary manufactured dwelling must be disconnected from the sewer system and all utilities, and removed from the lot.

~~(16)~~(15) The temporary manufactured dwelling must be a manufactured home or a mobile home as defined in section 9.0500.

Section 40. Section 9.9500 of the Eugene Code, 1971, is amended to provide as follows:

9.9500 Adopted Plan Policies.

(1) The adopted plan policies set forth in the sections beginning at EC 9.9500 shall be used when applicable for purposes of evaluating applicable adopted plan policies pertaining to subdivisions, partitions, and site review.

(2) ~~However, i~~In accordance with Metro Plan Policy A.9, a maximum residential density established by an adopted plan policy set forth in EC 9.9500 through EC 9.9710 may not be applied to an application proposing middle housing. For purposes of this section, a maximum residential density includes but is not limited to, a minimum lot size requirement, a limit on the number of dwelling units per acre, or another similar regulation that has the effect of limiting residential density.

(3) References to "adequate" or "sufficient" off-street parking in an adopted plan policy set forth in EC 9.9500 through EC 9.9710 means the amount of off-street parking as determined by the property owner or developer consistent with he requirements of this code and applicable state law.

Section 41. Notwithstanding the provisions of any uncodified ordinance or final land use decision establishing an H-Historic District or an S-H Historic Special Area Zone, minimum off-street parking requirements are not applicable to properties located within an H-Historic District or an S-H Historic Special Area Zone.

Section 42. The findings set forth in Exhibit C attached to this Ordinance are adopted as findings in support of this Ordinance.

Section 43. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction,

such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof. Further, if this Ordinance is remanded by to the City Council for further action by the Oregon Land Use Board of Appeals, those sections, subsections, sentences, clauses, phrases, or portions that do not require actions on remand shall be deemed separate, distinct, and independent provisions and such remand shall not affect their validity or effect.

Section 44. This Ordinance shall take effect pursuant to Section 32 of the Eugene Charter 2002, or on December 31, 2023, whichever is later.

Passed by the City Council this

___ day of _____, 2023

_____
City Recorder

Approved by the Mayor this

____ day of _____, 2023

_____
Mayor

Tandem Parking on Alleys Figure 9.6410 (1)(b)

Exhibit A

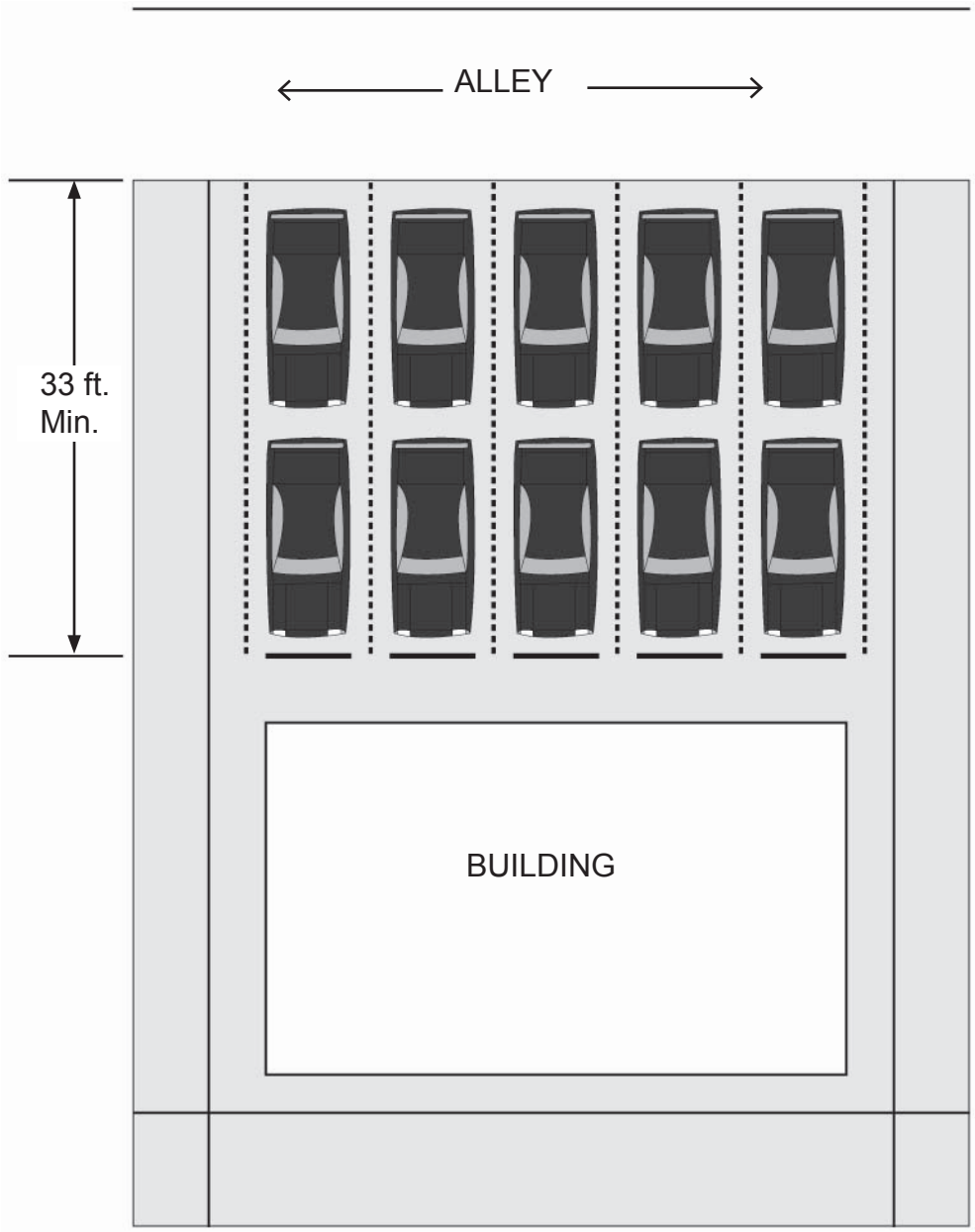
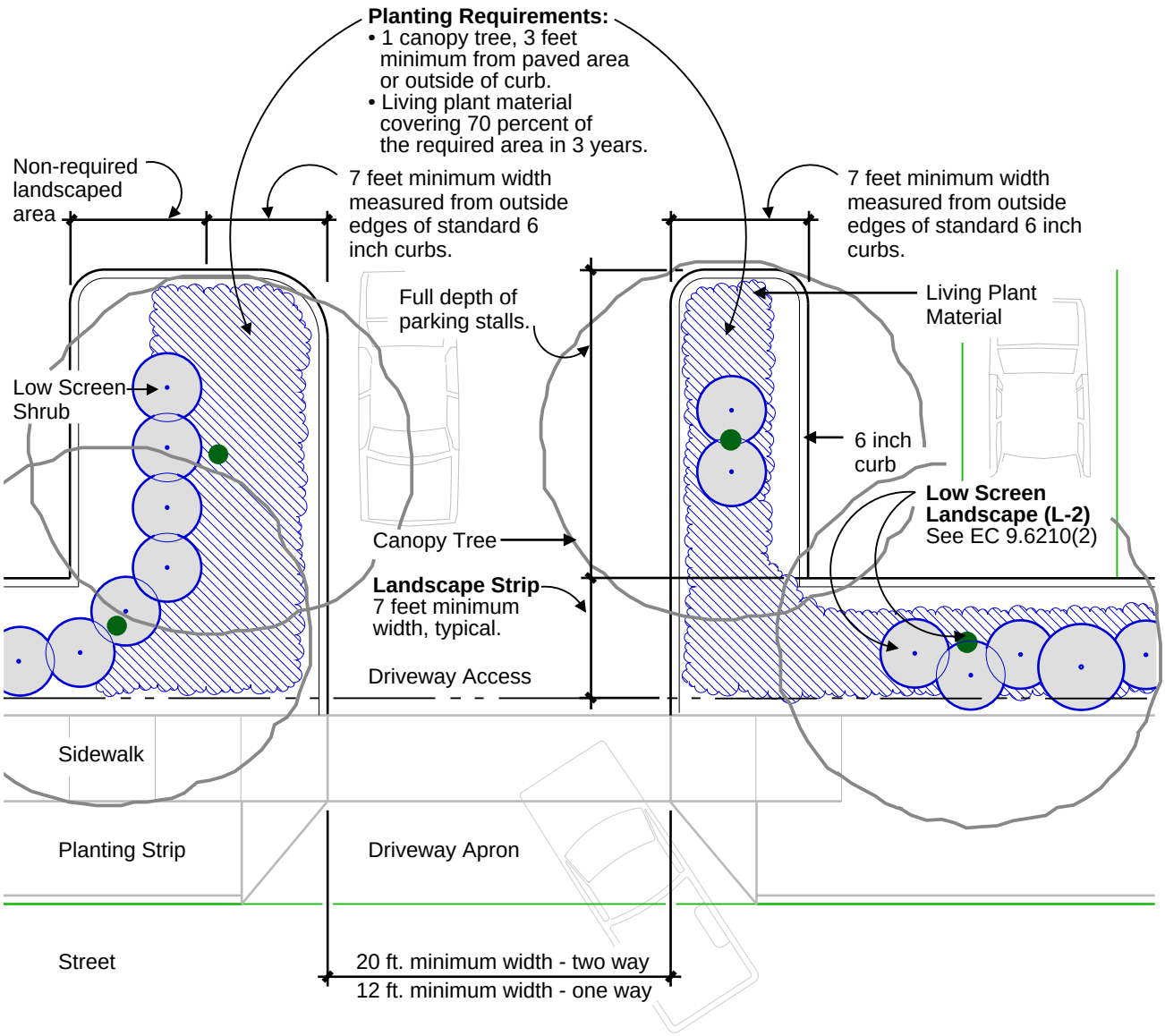


Figure 9.6420(3)(c)2

Parking Area Landscaping Along a Driveway Entrance



City of Eugene

Exhibit C

Climate-Friendly & Equitable Communities Parking Reform Land Use Code Amendments (CA 23-1)

LEGISLATIVE FINDINGS

Introduction/Overview

The Climate-Friendly & Equitable Communities (CFEC) Parking Reform Land Use Code Amendment project is intended to update Eugene's land use code to comply with the State of Oregon's CFEC rules regarding off-street parking regulations and requirements.

In March 2020, Governor Kate Brown issued an Executive Order directing state agencies to take actions to reduce and regulate greenhouse gas emissions and mitigate the impacts of climate change while also centering the needs of Oregon's most vulnerable communities. The Executive Order articulates that it is intended to help advance the state's adopted goal of reducing greenhouse gas emissions 75 percent below 1990 levels by 2050, while also increasing participation and engagement opportunities for underserved communities that have historically experienced discrimination and racism in land use and transportation planning policies and decisions throughout the state. In response, the Oregon Land Conservation and Development Commission adopted the CFEC administrative rules, located in Chapter 660, division 12 of the Oregon Administrative Rules, that articulate required changes to local transportation and housing planning systems.

CFEC Parking Reform Land Use Code Amendments (CA 23-1):

The proposed changes to the City's land use code ("CFEC Parking Reform Land Use Code Amendments" or "the amendments") will eliminate minimum off-street parking requirements City-wide, require the installation of canopy trees or solar charging panels for large parking areas, impose off-street parking maximums in certain circumstances, and require installation of electric vehicle charging conduit for 40% of off-street parking spaces in multi-unit and mixed-use developments that include five or more dwelling units. The amendments also include other changes as needed to implement the CFEC Rules and to clarify definitions and development standards for off-street parking areas.

CFEC Parking Reform Land Use Code Amendment Findings

Eugene Code (EC) Section 9.8065 sets out the following approval criteria (in ***bold and italic***) for a land use code amendment.

EC 9.8065(1) The amendment is consistent with applicable statewide planning goals adopted by the Land Conservation and Development Commission.

Based on the findings under each of the Statewide Planning Goals 1 through 19 below, the amendments are consistent with the goals and this criterion is satisfied.

Statewide Planning Goals

<u>Goal 1 - Citizen Involvement</u>. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The City's acknowledged procedures for adoption of legislative land use decisions, located in EC 9.7050 and 9.7500 through 9.7560, ensure the opportunity for community members to be involved in all phases of the legislative land use decision process and set out the requirements for such involvement. The CFEC Parking Reform Land Use Code Amendments ("the amendments") do not amend or change the City's adopted citizen involvement program. The process for adoption of the CFEC Parking Reform Land Use Code Amendments complies with Goal 1 because it is consistent with the City's acknowledged procedures for legislative land use decisions.

In addition to compliance with the City's acknowledged legislative land use decision procedures, the City also conducted significant public involvement related to the amendments. To provide more opportunities for meaningful and inclusive public engagement than would have been achievable under the original parking reform adoption deadline of June 30, 2023, staff applied for and received a six-month timeline extension from the Oregon Department of Land Conservation and Development (DLCD). The new DLCD-approved December 31, 2023, deadline for compliance specifically provided for additional time for public engagement. As noted in the City's timeline extension request, the focus of the outreach was intended to be on centering the voices of underserved populations and distributing information about the City's options for compliance with the CFEC Rules broadly across the community.

To that end, from March through May of 2023, the City hosted nine individual stakeholder interviews, facilitated small group conversations with 62 participants, facilitated discussions with people at two tabling events attended by 180+ participants, hosted a virtual information session with 18 participants, and collected 437 online survey responses. Public engagement included proactive outreach to Black, Indigenous, and other communities of color, the LGBTQ+ community, Spanish speaking residents, people experiencing disabilities, neighborhood groups, and groups affiliated with affordable housing, transportation, environment, and development.

As discussed below, notices of the proposed Code Amendments were provided in accordance with EC 9.7520 Public Hearing Notice (Planning Commission) and EC 9.7545 Public Hearing Notice (City Council). Notice of the public hearings was provided to Eugene neighborhood organizations, the Oregon Department of Land Conservation and Development, Lane County, the City of Springfield, and other community groups and interested parties who have requested notice. Notice of the public hearings was also published in the Register Guard according to Eugene Code requirements.

In addition to the required noticing, information about the project, including the public hearing process, was published on the project website and was highlighted in the June edition of the EUG Planning Newsletter, an e-newsletter which is sent to nearly 18,000 subscribers, and News to Build On, the Building and Permit Services e-newsletter that goes out to over 900 subscribers. Additionally, informational emails and courtesy hearings notices were sent out to stakeholders and community members who participated

in the public engagement process, including those who attended the public webinar, partners roundtables, stakeholder interviews, ADA focus group and the BIPOC/LGBTQ+ event.

On May 23, 2023, the City provided notice of the proposed CFEC Parking Reform Land Use Code Amendments to DLCD. A public hearing conducted by the Planning Commission was held on June 11, 2022. Notice of the public hearing was sent in accordance with Type V notice procedures referenced above, on May 23, 2023. Following deliberations, the Planning Commission voted to recommend that the City Council approve the CFEC Parking Reform Code Amendments on August 1, 2023.

These processes afforded ample opportunity for citizen involvement consistent with Goal 1. Therefore, the amendments are consistent with Statewide Planning Goal 1.

***Goal 2- Land Use Planning:* To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.**

Eugene's land use code specifies the formal adoption procedures and approval criteria that were used in considering the CFEC Parking Reform Land Use Code Amendments. These findings and the record show that there is an adequate factual basis for the Code Amendments. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of citizens.

To comply with the Goal 2 coordination requirement, the City engaged in an exchange about the subject of these amendments with affected governmental units. Specifically, the City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development (DLCD), Lane County, and the City of Springfield. There are no exceptions to Statewide Planning Goal 2 required for the CFEC Parking Reform Code Amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

Goal 3 - Agricultural Land: To preserve and maintain agricultural lands.

The CFEC Parking Reform Land Use Code Amendments will only affect properties located within the City of Eugene and therefore do not affect any lands designated by the comprehensive plan for agricultural use. To the extent that there are properties within the City currently zoned for agricultural use, the code amendments do not force a discontinuance of agricultural practices. For these reasons, the amendments are consistent with Statewide Planning Goal 3.

Goal 4 - Forest Land: To conserve forest lands.

The CFEC Parking Reform Land Use Code Amendments will only affect properties located within the City of Eugene and therefore do not affect any lands designated by the comprehensive plan for forest use. The amendments are therefore consistent with Statewide Planning Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: To conserve open space and protect natural and scenic resources.

OAR 660-023-0250(3) provides: Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

(a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;

(b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or

(c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.

These CFEC Parking Reform Land Use Code Amendments do not create or amend the City's list of Goal 5 resources, do not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, do not allow new uses that could be conflicting uses with a significant Goal 5 resource site and do not amend the acknowledged urban growth boundary. Therefore, the proposed amendments are consistent with Statewide Planning Goal 5.

Goal 6 - Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water, and land resources of the state.

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water, and land from impacts from those discharges. The CFEC Parking Reform Land Use Code Amendments do not affect the City's ability to provide for clean air, water or land resources. Additionally, the amendments are required by and implement the CFEC Rules which are intended to reduce greenhouse gases, which will help maintain and improve air quality. Therefore, the amendments are consistent with Statewide Planning Goal 6.

Goal 7 - Areas Subject to Natural Disasters and Hazards: To protect life and property from natural disasters and hazards.

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, wildfires and earthquakes and related hazards. The CFEC Parking Reform Land Use Code Amendments do not make changes to policies or regulations that protect people and property from natural hazards. Therefore, the amendments are consistent with Statewide Planning Goal 7.

Goal 8 - Recreational Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Goal 8 ensures that recreational facilities are provided to Oregon citizens and is primarily concerned with the provision of recreational facilities in non-urban areas of the state. The CFEC Parking Reform Land Use Code Amendments do not affect the City's provisions for, or citizen's access to, recreation areas, facilities,

or recreational opportunities. Therefore, the amendments are consistent with Statewide Planning Goal 8.

***Goal 9 - Economic Development: To provide adequate opportunities throughout the state for a variety* of economic activities vital to the health, welfare, and prosperity of Oregon 's citizens.**

Goal 9 requires cities to evaluate the supply and demand of commercial land relative to community economic objectives. The CFEC Parking Reform Land Use Code Amendments, which will apply only within the City, will not rezone or re-designate any properties, and do not impact the supply of industrial or commercial lands. In addition, by eliminating off-street parking requirements, the amendments allow owners of commercially and industrially zoned property to dedicate more of their property to commercial and industrial facilities as opposed to surface parking. Therefore, the amendments are consistent with Statewide Planning Goal 9.

Goal 10 - Housing: To provide for the housing needs of the citizens of the state.

Goal 10 requires the City to provide an adequate supply of buildable land to accommodate the City's estimated housing needs for a 20-year planning period. The *Envision Eugene* Residential Land Supply Study (2012-2032) was adopted by the City of Eugene in 2017 as a refinement of the *Envision Eugene Comprehensive Plan* and complies with the requirements of Goal 10 and Chapter 660, Division 008 of the Oregon Administrative Rules.

The *Envision Eugene* Residential Land Supply Study includes an inventory of buildable lands for residential use. According to the Residential Land Supply Study, there is sufficient buildable residential land to meet the identified land need. The CFEC Parking Reform Land Use Code Amendments do not impact the City's supply of residential buildable land. No land is being re-designated from a residential use to a non-residential use, and the amendments do not otherwise diminish the amount of land available for residential use.

Goal 10 also requires the City to conduct a Housing Needs Analysis (HNA) to assess whether the City's estimated housing needs for a 20-year planning period can be satisfied. The *Envision Eugene* Residential Land Supply Study includes an HNA that forecasts that Eugene's population will increase by 33,778 people between 2012 and 2032. Based on the HNA analysis, Eugene will need 15,105 dwellings to accommodate this growth.

The CFEC Parking Reform Land Use Code Amendments do not impact the City's supply of residential buildable land. The Code Amendments do not include any amendments to plan designations, existing zoning, or the City's adopted buildable lands inventory. No land is being rezoned or re-designated from a residential use to a non-residential use, and the code amendments do not otherwise diminish the amount of land available for residential use. Rather, the CFEC Parking Reform Land Use Code Amendments are intended to reduce barriers to the development of housing by removing requirements to provide a minimum number of off-street parking spaces. In addition, by eliminating off-street parking requirements, the amendments allow owners of residentially zoned property to potentially dedicate more of their property to units of housing as opposed to surface parking.

For all the reasons outlined above, the amendments are consistent with Statewide Planning Goal 10.

Goal 11 - Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The CFEC Parking Reform Land Use Code Amendments do not affect the planning or development of future public facilities or services. The code amendments do not make changes to the City's provision of public facilities and services or to the currently adopted Eugene/Springfield Public Facilities and Services Plan (PFSP). Consistent with the PFSP, the City will continue to plan and develop public facilities to support the land uses designated in the City's acknowledged comprehensive plan. The amendments do not change the allowed uses or densities for any properties within the City and therefore the amendments will not result in an increase in demand on the City's public facilities and services. By removing off-street parking requirements, the amendments may allow more units of housing or additional commercial or industrial facilities to be developed on properties zoned and designated for those uses; however, the additional development must still comply with the property's allowed density and all other applicable development standards. Therefore, the amendments are consistent with Statewide Planning Goal 11.

Goal 12- Transportation: To provide and encourage a safe, convenient and economic transportation system.

Goal 12 is implemented through the Transportation Planning Rule (TPR), OAR Chapter 660, Division 12. Eugene's 2035 Transportation System Plan provides the policy framework through which the TPR is implemented at the local level. The TPR includes the following requirements at OAR 660-012-0060:

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant

effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or,

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

The TPR requires that land use changes that would significantly affect a transportation facility provide mitigation measures to address the anticipated impacts. The CFEC Parking Reform Land Use Code Amendments will not significantly affect a planned or existing transportation facility, and no changes to existing, adopted land use designations or zoning of properties are proposed. The amendments will not change the functional classification of an existing or planned transportation facility, nor change any standards implementing a functional classification system. Further, because the amendments do not alter or affect the land uses allowed, the amendments will not result in levels of travel or access which are inconsistent with the functional classification of an existing or planned transportation facility or degrade the performance standards of an existing or planned transportation facility so that it will not meet the performance standards identified in the City's adopted transportation system plan.

The CFEC Rules also include specific requirements under the TPR for off-street parking reforms. The following findings address those specific requirements under OAR 660-012-0012 in more detail with respect to the CFEC Parking Reform Land Use Code Amendments.

OAR 660-012-0012(4)(f): "Cities and counties shall adopt comprehensive plan amendments and land use regulations meeting requirements provided in OAR 660-012-0400, OAR 660-012-0405, and OAR 660-012-0415 through OAR 660-012-0450 no later than June 30, 2023, except as provided below. If a city or county has not done so, it may not apply parking mandates after that date."

OAR 660-012-0012(3): "Cities, counties, or Metro may choose to propose alternative dates in lieu of the effective dates or deadlines in section (4) of this rule."

The City of Eugene applied for and received approval for an alternative date of December 31, 2023, to comply with the requirements in OAR 660-012-0012(4)(f).

OAR 660-012-0400(3): "Cities and counties shall remove parking mandates as directed under OAR 660-012-0420. In lieu of removing parking mandates, cities and counties may amend their comprehensive plans and land use regulations to implement the provisions of OAR 660-012-0425, OAR 660-012-0430, OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR 660-012-0450."

The CFEC Parking Reform Land Use Code Amendments remove parking mandates as directed under OAR 660-012-0420, therefore the City is not required to implement the provisions of OAR 660-012-0425, OAR 660-012-0430, OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR 660-012-0450.

OAR 660-012-0405: Parking Regulation Improvements

(1) Cities and counties shall adopt land use regulations as provided in this section:

(a) Designated employee parking areas in new developments shall provide preferential parking for carpools and vanpools;

(b) Property owners shall be allowed to redevelop any portion of existing off-street parking areas for bicycle-oriented and transit-oriented facilities, including bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, and similar facilities; and

(c) In applying subsections (a) and (b), land use regulations must allow property owners to go below existing mandated minimum parking supply, access for emergency vehicles must be retained, and adequate parking for truck loading should be considered.

(2) Cities and counties shall adopt policies and land use regulations that allow and encourage the conversion of existing underused parking areas to other uses.

(3) Cities and counties shall adopt policies and land use regulations that allow and facilitate shared parking.

(4) Cities and counties shall adopt land use regulations for any new development that includes more than one-half acre of new surface parking on a lot or parcel as provided below:

(a) Developments must provide one of the following:

(A) Installation of solar panels with a generation capacity of at least 0.5 kilowatt per new parking space. Panels may be located anywhere on the property. In lieu of installing solar panels on site, cities may allow developers to pay $1,500 per new parking space in the development into a city or county fund dedicated to equitable solar or wind energy development or a fund at the Oregon Department of Energy designated for such purpose;

(B) Actions to comply with OAR 330-135-0010; or

(C) Tree canopy covering at least 40 percent of the new parking lot area at maturity but no more than 15 years after planting.

(b) Developments must provide either trees along driveways or a minimum of 30 percent tree canopy coverage over parking areas. Developments are not required to provide trees along drive aisles. The tree spacing and species planted must be designed to maintain a continuous canopy, except when interrupted by driveways, drive aisles, and other site design considerations; and

(c) Developments must provide pedestrian facilities between building entrances and pedestrian facilities in the adjacent public right-of-way.

(d) Development of a tree canopy plan under this section shall be done in coordination with the

local electric utility, including pre-design, design, building, and maintenance phases.

(e) In providing trees under subsections (a) and (b) the following standards shall be met. Trees must be planted and maintained to maximize their root health and chances for survival, including having ample high-quality soil, space for root growth, and reliable irrigation according to the needs of the species. Trees should be planted in continuous trenches where possible. The city or county shall have minimum standards for planting and tree care no lower than 2021 American National Standards Institute A300 standards, and a process to ensure ongoing compliance with tree planting and maintenance provisions.

(5) Cities and counties shall establish off-street parking maximums in appropriate locations, such as downtowns, designated regional or community centers, and transit-oriented developments.

The CFEC Parking Reform Land Use Code Amendments implement the requirements in OAR 660-012-0405 by including the required parking regulation improvements, eliminating minimum off-street parking requirements City-wide, requiring the installation of canopy trees or solar charging panels for large parking areas, and by establishing off-street parking maximums City-wide.

OAR 660-012-0410(3): "As authorized in ORS 455.417(4), for new multifamily residential buildings with five or more residential dwelling units, and new mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units, cities shall require the provision of electrical service capacity, as defined in ORS 455.417, to accommodate 40 percent of all vehicle parking spaces."

The CFEC Parking Reform Land Use Code Amendments implement the requirements of ORS 445.417 for multi-unit and mixed-use developments with five or more dwelling units, by requiring that 40 percent of all vehicle parking spaces associated with those uses be serviced by electric vehicle charging conduit, in compliance with OAR 660-012-0410(3).

<u>OAR 660-012-0415: Parking Maximums and Evaluation for More Populous Communities</u>

(1) Cities with populations over 100,000, counties with populations over 100,000 outside city limits but within the urban growth boundary, and cities with populations over 25,000 within the Portland Metropolitan Area, shall set parking maximums in climate-friendly areas and in regional centers and town centers, designated under the Metro Title 6, Centers, Corridors, Station Communities and Main Streets, Adopted Boundaries map. Those cities and counties shall also set parking maximums on lots or parcels within the transit corridors and rail stop areas listed in OAR 660-012-0440.

(a) Parking maximums shall be no higher than 1.2 off-street parking spaces per studio unit and two off-street parking spaces per non-studio residential unit in a multi-unit development in climate-friendly areas and within one-half mile walking distance of priority transit corridors. These maximums shall include visitor parking;

(b) Parking maximums shall be no higher than five spaces per 1,000 square feet of floor space for all commercial and retail uses other than automobile sales and repair, eating and drinking establishments, and entertainment and commercial recreation uses;

(c) For land uses with more than 65,000 square feet of floor area, surface parking may not consist of more area than the floor area of the building; and

(d) Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures may be exempted from the calculations in this section.

The CFEC Parking Reform Land Use Code Amendments comply with the requirements in OAR 660-012-0415 by setting appropriate off-street parking maximums City-wide and ensuring that land uses with more than 65,000 square feet of floor area are limited to no more surface parking area than the floor area of the buildings on site. The code amendments exempt structured parking from these calculations in accordance with the OAR 660-012-0405(1)(d).

Therefore, the CFEC Parking Reform Land Use Code Amendments are consistent with Statewide Planning Goal 12.

Goal 13 - Energy Conservation: To conserve energy.

Goal 13 provides guidance on the management of land and land uses to maximize the conservation of energy. The CFEC Parking Reform Land Use Code Amendments would eliminate minimum off-street parking requirements citywide, require the installation of tree canopy or solar panels for larger parking areas, impose off-street parking maximums in certain circumstances, and require installation of electric vehicle charging conduit for 40% of off-street parking spaces in multi-unit and mixed-use developments that include five or more dwelling units. Therefore, the amendments are consistent with Statewide Planning Goal 13.

Goal 14 - Urbanization: To provide for an orderly and efficient transition from rural to urban land use.

The CFEC Parking Reform Land Use Code Amendments are specific to land already zoned and designated for urban uses. The amendments do not affect the transition from rural to urban land uses, as all the property affected by the amendments is located within the City limits. The CFEC Parking Reform Code Amendments are therefore consistent with Statewide Planning Goal 14.

Goal 15 - Willamette River Greenway: To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

The CFEC Parking Reform Code Amendments do not contain any changes to the City's Willamette River Greenway regulations; therefore, Statewide Planning Goal 15 does not apply.

Goal 16 through 19 (Estuarine Resources, Coastal Shorelands, Beaches and Dunes. and Ocean Resources):

There are no coastal, ocean, estuarine, or beach and dune resources related to the lands affected by CFEC Parking Reform Land Use Code Amendments. Therefore, these goals are not relevant, and the

amendments will not affect compliance with Statewide Planning Goals 16 through 19.

EC 9.8065(2): [The amendments are] consistent with applicable provisions of the comprehensive plan and applicable adopted refinement plans.

The following findings address relevant portions of the City's comprehensive plan, specifically including adopted policies and relevant text from the *Eugene-Springfield Metropolitan Area General Plan* (*Metro Plan*), the adopted and acknowledged regional comprehensive plan, the *Envision Eugene Comprehensive Plan* (*Envision Eugene*), the Eugene-specific adopted and acknowledged comprehensive plan, the *Eugene 2035 Transportation System Plan (2035 TSP)*, the transportation element of Eugene's comprehensive land use plan, and applicable adopted refinement plans.

Eugene-Springfield Metropolitan Area General Plan (Metro Plan)

The *Eugene-Springfield Metropolitan Area General Plan* (*Metro Plan*) functions as a component of the City's overall comprehensive plan and addresses a variety of land use planning responsibilities that remain regional in nature between Lane County, Springfield and Eugene. To the extent that the following policies include considerations or requirements relevant to the CFEC Parking Reform Land Use Code Amendments, those policies are addressed with further findings below. As these findings demonstrate, the amendments are consistent with, and supported by, the applicable provisions of the *Metro Plan*.

Metro Plan Policies

Residential Land Use and Housing Element

A.10 Promote higher residential density inside the UGB that utilized existing infrastructure, improves the efficiently of public services and facilities, and conserves rural resource lands outside the UGB.

A.17 Provide opportunities for a full range of choice in housing type, density, size, cost, and location.

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements City-wide. Requiring that residentially zoned land be devoted to off-street parking limits options for the development and redevelopment of such parcels. Additionally, removing off-street parking requirements City-wide allows for higher density developments that utilize existing infrastructure and provides opportunities for a full range of choice in housing, density, size, cost, and location. The amendments do not change the total allowed density on any property; however, by removing off-street parking requirements, the amendments may allow for additional units of housing to be developed on a property (in the area where surface parking would previously have been required), consistent with the allowed density for the property and all other applicable development standards.

Environmental Design Element

E.3 The planting of street trees shall be strongly encouraged, especially for all new developments and redeveloping area (where feasible) and new streets and reconstruction of major arterials within the UGB.

E.8 Site planning standards developed by local jurisdictions shall allow for flexibility in design that

will achieve site planning objectives while allowing for creative solutions to design problems.

In order to comply with the CFEC Rules, the amendments include requirements to provide canopy tree coverage or solar panels for new large parking areas (more than ½ acre in size). Additionally, the removal of off-street parking requirements allows for more flexibility in design, in which may allow property owners and developers to choose to retain trees or other open areas on a site that would have previously been used to meet mandatory off-street parking requirements.

Transportation Element

F.7 Increase the use of motor vehicle parking management strategies in selected areas throughout the Eugene-Springfield metropolitan area.

The removal of off-street parking requirements will allow property owners and developers to determine the appropriate amount of off-street parking to provide based on site design, customer base, and other market demands. The City already implements parking management strategies such as metered parking, and commercial and residential parking permits. The amendments do not make changes to any of the City's parking management programs, nor do they regulate the or prohibit the creation or adoption of new parking management strategies or areas.

Based on the findings provided above, the amendments are consistent with and supported by the applicable provisions of the *Metro Plan*.

Envision Eugene Policies

Overall Economic Development Objectives

3.6 Responsible economic development. Support economic development initiatives that reflect long-term priorities, improve community resilience to climate change and natural hazards, improve energy efficiency or reduce greenhouse gas emissions, and enhance opportunities to borrow, rent, or otherwise make better use of underutilized public and private assets.

As addressed in the findings regarding Goal 9 above and incorporated herein, the CFEC Parking Reform Land Use Code Amendments support economic development by removing minimum off-street parking requirements, allowing for property owner and developers to better utilize public and private assets. As addressed in the findings regarding Goal 13, and incorporated herein, the canopy tree or solar panel requirements for new large parking areas will improve community resilience to climate change, improve energy efficiency, and reduce greenhouse gas emissions. Therefore, the amendments are consistent with and supported by the applicable *Envision Eugene* policies.

Eugene 2035 Transportation System Plan

Transit Policies

1. *Promote the use of public transit and the continued development of an integrated, reliable, regional public transportation system.*

The proposed amendments will remove minimum off-street parking requirements, which will allow for property owners and/or developers to choose to not provide off-street parking on properties within the City, including property located near public transit lines. Fewer off-street parking choices will likely incentivize community members to use public transit, therefore, the amendments are consistent with and supported by this 2035 TSP transit policy.

Pedestrian Policies

1. *Encourage walking as the most attractive mode of transportation for short trips (e.g., within one half miles) within and to activity centers, downtown, key corridors, and major destinations, and as a means of accessing transit.*

The proposed amendments will remove minimum off-street parking requirements, which will allow for property owners and/or developers to choose to not provide off-street parking on properties within the City, including properties located near activity centers, key corridors, or transit lines. When off-street parking is not provided, people are more likely to walk to their destination. Therefore, the amendments are consistent with and supported by this 2035 TSP pedestrian policy.

The preceding findings demonstrate that the CFEC Parking Reform Code Amendments are consistent with, and supported by, the applicable provisions of the comprehensive plan.

Applicable Refinement Plans

The following findings further demonstrate consistency of the CFEC Parking Reform Land Use Code Amendments with applicable provisions from the City's locally adopted refinement plans. Adopted refinement plans with policies that address off-street motor vehicle parking include the *Downtown Plan, Downtown Riverfront Specific Area Plan, Fairmount/University of Oregon Special Area Study, Jefferson/Far West Refinement Plan, Laurel Hill Plan, 19th Avenue and Agate Special Area Study, River Road-Santa Clara Urban Facilities Plan, Riverfront Park Study, West University Refinement Plan, Westside Neighborhood Plan, and Willakenzie Area Plan*. Each of these refinement plans are addressed in more detail below.

In accordance with the CFEC Rules, the City Council interprets references to "adequate" or "sufficient" off-street parking in any adopted refinement plan to mean "adequate" or "sufficient" off-street parking as determined by the property owner or developer consistent with the requirements of the Eugene Code, 1971 and applicable state law. Therefore, the City Council finds that a development application that is not required by the Eugene Code to include off-street parking and does not propose off-street parking is consistent with refinement plan policies requiring or referencing "adequate" or "sufficient" parking.

Downtown Plan

Building a Downtown

Policy 3. Facilitate downtown development by re-designating and rezoning underutilized properties, such as surface parking lots, to a commercial land use designation and a commercial zone such as C-2 or C-3.

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements

City-wide. Without off-street parking requirements property owners and/or developers can choose to devote space that had been used for surface parking lots to other commercial uses. Therefore, the amendments are consistent with, and supported by, this Downtown Plan policy.

Downtown Riverfront Specific Area Plan

Policies

General *– New development shall promote the vision of the Downtown Riverfront as a unique, sustainable neighborhood through the implementation of a network of public and private open space areas that include parks, green infrastructure, urban agriculture, enhanced habitat, gathering spaces, and interpretive sites.*

Urban Design *– New development shall promote an active, diverse, green, mixed-use neighborhood and strive for excellence in site and building design.*

Infrastructure *– Encourage non-vehicular transportation by accommodating multi-modal pedestrian transportation amenities and through the design of a pedestrian-friendly street network.*

Open Space *– Public and private open space areas shall be designed to emphasize connectivity, permeability, diversity, and sustainability.*

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements city-wide, and therefore allow property owners and/or developers to choose to provide more open space areas on a development site instead of the off-street parking that was previously required by the land use code. The removal of off-street parking requirements will allow for more flexibility in building and site design, which creates more opportunity and flexibility to design and build more diverse, green, mixed-use neighborhoods, more pedestrian amenities, and more permeable and sustainable open space areas. Therefore, the amendments are consistent with, and supported by, these Downtown Riverfront Specific Area Plan policies.

Fairmount/University of Oregon Special Area Study

Transportation Policies

1. *To reduce reliance on the automobile and the effect of on-street parking and automobile storage, and to encourage increased use of alternative forms of transportation through such means as:*
    a. *maintaining and expanding a system which provides safe and pleasant areas;*
    b. *providing a bikeway system which is safe and ties in with the rest of the City's system; and*
    c. *providing convenient public transportation for those who live and work in the area.*

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements city-wide. Developments without off-street parking are more likely to attract users and residents who use public transportation, the bikeway system, or other non-vehicular means of transportation, therefore reducing reliance on the automobile. The amendments are consistent with this Fairmount/University of Oregon Special Area Study Transportation policy.

East Campus Area Policies

4. *The City shall encourage the University to develop its high- and medium- density residential units with concern for adequate parking and appropriate parking solutions, regard for landscaping, and consideration of the impact on the rest of the neighborhood.*

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking *requirements*, but nothing in the amendments prevents the University from providing off-street parking. Nor do the amendments prevent the City from encouraging the University to develop its high- and medium- density residential units with concern for adequate parking and appropriate parking solutions. The amendments do not apply off-street parking maximums to structured parking which allows the University and others to utilize structured parking as a parking solution. Therefore, the amendments are consistent with this Fairmount/University of Oregon Special Area Study East Campus Area policy.

Parking Policies.
Steps shall be taken to gain better use of existing off-street parking areas and to discourage long-term storage of vehicles on the street. (Policy 1)

The adverse effects of motor vehicle parking shall be mitigated as much as possible. (Policy 3)

Parking systems adopted for any area within the special study area should avoid creating parking problems for any other area or land use of the Fairmount Neighborhood by mitigating parking impacts on the surrounding neighborhood as directed by the City. (Policy 4)

The Council finds that the best use of off-street parking areas is not necessarily motor vehicle parking. In some cases, the best use of off-street parking areas will be another use, such as trees, landscaping, open space, or additional units of housing. The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements and therefore allow property owners and developers to gain better use of existing off-street parking areas by converting those areas into additional housing or open space, consistent with code requirements and the zoning designation of the property, if they so choose. Additionally, existing parking management strategies have been implemented within the study area to discourage long-term storage of vehicles on the street. The proposed amendments will mitigate the adverse effects of large off-street motor vehicle parking areas by requiring canopy trees or solar panels. The amendments apply City-wide, and therefore do not centralize demand for street parking in any particular area or neighborhood of the City. The amendments are therefore consistent with these Fairmount/University of Oregon Special Area Study policies.

Jefferson/Far West Refinement Plan

Land Use Element, Residential
Encourage a mixture of housing densities and types to allow a diverse population group to live within the area. (Policy 3)

The CFEC Parking Reform Land Use Code Amendments encourage a mixture of housing densities and types by removing minimum off-street parking requirements from the land use code. Minimum off-street parking space requirements often pose an obstacle for infill developments that would provide for a mixture of housing densities and types by requiring that available space be devoted to off-street parking

rather than more residential dwelling units and/or residential amenities. Therefore, the amendments are consistent with, and generally supported by, this Jefferson/Far West Refinement Plan policy.

West 11th Avenue/Garfield Street Commercial Area
The City shall encourage the consolidation of off-street parking, the reduction of access points and, therefore, turning movements, and the grouping of compatible commercial uses.

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements city-wide. As a result of the removal of off-street parking requirements, commercial uses will have more flexibility in site design, including the design of off-street parking areas allowing for the reduction of access points and turning movements. Therefore, the amendments are consistent with, and supported by, this Jefferson/Far West Refinement Plan policy.

West Low-Density Residential Area
Promote development of public and quasi-public uses in the area that will minimize conflicts with adjacent residential areas by encouraging shared use of existing parking facilities and allowing inter-agency agreements to account for parking requirements.

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements, which will allow for new developments and redevelopments to share the use of existing parking facilities. Nothing in the amendments discourages shared use of existing parking facilities or disallows inter-agency agreements regarding parking requirements. Therefore, the amendments are consistent with, and supported by, this Jefferson/Far West Refinement Plan policy.

The preceding findings demonstrate that the proposed amendments are consistent with, and generally supported by, the Jefferson/Far West Refinement Plan policies.

Laurel Hill Plan

Transportation Policies. All future construction in the Valley or East Laurel Hill shall include adequate off-street parking to accommodate not only permanent residents but a reasonable number of visitors.

As noted previously, and in accordance with the CFEC Rules, the City Council interprets "adequate off-street parking" as used in this Laurel Hill Plan policy to mean the amount of off-street parking as determined by the property owner or developer consistent with the requirements of the Eugene Code, 1971 and applicable state law. Therefore, the amendments are consistent with this Laurel Hill Plan policy.

19th and Agate Special Area Study

19th and Agate Special Area Study and Agate Commercial Area. Allow flexibility in the way required off-street parking is met for businesses in the 19th and Agate Commercial Area. (Policy 2)

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements City-wide and allow flexibility for businesses in the 19th and Agate Commercial Area to

provide off-street parking. Therefore, the amendments are consistent with, and generally supported by, this 19th and Agate Special Area Study policy.

River Road-Santa Clara Urban Facilities Plan

Residential Land Use Policies

2.0 Provide a diversity of housing types in the area. Available techniques include encouraging reinvestment and rehabilitation of existing housing stock and the use of development standards that provide for clustering or planned unit development.

Minimum off-street parking space requirements often pose an obstacle for clustered infill developments that would provide for a diversity of housing types by requiring that available space be devoted to off-street parking rather than more residential dwelling units and/or residential amenities. The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements; therefore, the amendments are consistent with, and supported by, this River Road-Santa Clara Urban Facilities Plan Residential Land Use policy.

Riverfront Park Study

Land Use. Development standards within the SD, Special Development District, applied to the Riverfront Park, shall be designed to: Recognize that proximity to alternative transportation facilities may provide opportunities to reduce parking requirements for certain industrial uses.

The amendments remove minimum off-street parking requirements City-wide and provide opportunities for property owners and developers to reduce the amount of parking provided. Therefore, the amendments are consistent with, and generally supported by this Riverfront Park Study policy.

West University Refinement Plan

Transportation & Parking Policies

1. *The use of bicycles, mass transit, walking, carpooling, and other appropriate alternative modes of transportation, especially by employees in the plan area, shall be actively encouraged and provided for in order to reduce automobile dependence and alleviate traffic and parking problems.*
4. *The adverse effects of motor vehicle movement and parking shall be mitigated as much as possible.*
6. *Steps shall be taken to gain better usage of existing off-street parking facilities in the plan area.*

The CFEC Parking Reform Land Use Code Amendments remove minimum off-street parking requirements city-wide. Fewer off-street parking choices will likely incentivize and encourage community members to use bicycles, public transit, carpools, or walking to get to their destination. The Council finds that the best use of off-street parking areas is not necessarily motor vehicle parking. In some cases, the best use of off-street parking areas will be another use, such as trees, landscaping, open space, or additional units of housing. The amendments will allow property owners and developers to gain better use of existing off-street parking areas by converting those areas into additional housing or open space, consistent with code requirements and the zoning and designation of the property, if they so choose. The City already implements parking management strategies such as metered parking, and commercial and residential parking permits, in order to mitigate the effects of parking. The amendments do not make changes to any

of the City's parking management programs, nor do they regulate the or prohibit the creation or adoption of new parking management strategies or areas.

Neighborhood Design Policies

2. *Elements that are detrimental to neighborhood identity, character, and livability, such as large parking facilities and the use of motor vehicle, shall be discouraged.*

The CFEC Parking Reform Land Use Code Amendments remove off-street parking requirements and for those owners and/or developers who choose to build large surface parking lots, the amendments require canopy tree coverage or solar panels for new surface parking areas of more than ½ acre in size. Additionally, the removal of off-street parking requirements allows for more flexibility in site design, which may allow property owners and developers to choose to retain trees or other open areas on a site that would have previously been used to meet mandatory off-street parking requirements.

Land Use Policies

3. *The City will update its Land Use Code and that effort shall particularly take into account the need to: review parking requirements for residential development with the purpose of reducing the required number of spaces per unit in the plan area.*

The CFEC Parking Reform Land Use Code Amendments are intended to reduce barriers to the development of housing by removing requirements to provide a minimum number of off-street parking spaces for developments city-wide, including residential developments. In addition, by eliminating off-street parking requirements, the amendments allow owners of residentially zoned property to potentially dedicate more of their property to units of housing as opposed to surface parking.

Therefore, the amendments are consistent with, and supported by, these West University Refinement Plan policies.

<u>Westside Neighborhood Plan</u>

Transportation and Traffic Element Policies

4. *Recognize the negative impacts that insufficient parking in and close to the Westside Neighborhood can have on the vitality of commercial activities and the character of residential areas within the Westside Neighborhood.*
    - *4.1 Consider the potential impacts changes to the downtown parking program may have on the type and amount of on-street parking in the Westside Neighborhood.*
    - *4.2 Carefully evaluate parking variances, especially as they might impact the eastern portion of the Westside Neighborhood.*

In accordance with the CFEC Rules, the City Council finds that off-street parking as determined by the property owner or developer consistent with the requirements of the Eugene Code, 1971 and applicable state law constitutes "sufficient" parking. The City already implements parking management strategies such as metered parking, and commercial and residential parking permits in order to mitigate the effects of on-street parking. The CFEC Parking Reform Land Use Code Amendments do not make changes to any of the City's parking management programs, nor do they regulate or prohibit the creation or adoption of new parking management strategies or areas. The amendments do not make changes to any downtown

parking programs. The amendments do not make changes to the process or approval criteria for obtaining a variance to motor vehicle parking standards. Therefore, the amendments are consistent with these Westside Neighborhood Plan policies.

Willakenzie Area Plan

Land Use Policies and Proposed Actions
Policy 3. Retain existing significant vegetation whenever possible to provide buffering between residential and nonresidential uses, as well as between low-density and higher density residential uses.

General Commercial and Industrial Policies and Proposed Actions
Policy 1.2. Amend code provisions for parking lot buffering to provide for a more effective means of screening parking and on-site circulation from view.

The CFEC Parking Reform Land Use Code Amendments add to the existing landscaping and buffering requirements in the City's land use code for off-street parking areas, by providing additional standards for canopy tree coverage or solar panels for new large parking areas. Additionally, the removal of minimum off-street parking requirements will allow more flexibility to retain existing vegetation which often would be removed to make room for the required off-street parking. Therefore, the amendments are consistent with, and generally supported by, these Willakenzie Area Plan policies.

EC 9.8065(3): In the case of establishment of a special area zone, [the amendments are] consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone.

The CFEC Parking Reform Land Use Code Amendments do not establish a special area zone. Therefore, this criterion does not apply.

CFEC Parking Reform

Summary of Options 2A and 2B | September 2023

Options 2A and 2B: Required Changes

In lieu of repealing all parking mandates (Option 1), the City can select and implement either a fair parking approach (2A) or a reduced regulation parking management approach (2B). These are further described below. Under either Option 2A or 2B, the City must also implement the following requirements:

- Price at least 10% of on-street parking spaces in the City by September 30, 2025. Residential parking permits priced at lower than $15 per month, 50 cents per day, or equivalent do not count towards the required percentage;
- Garages and carports may not be required for residential developments;
- Garage parking spaces must count towards off-street parking mandates;
- Provision of shared parking must be allowed to comply with parking mandates;
- Required parking spaces may be provided off-site, within 2,000 feet pedestrian travel of a site. If any parking is provided on-site, required parking for parking for people with disabilities shall be on-site. If all parking is off-site, parking for people with disabilities must be located within the shortest possible distance of an accessible entrance via an accessible path and no more than 200 feet from that entrance;
- Parking mandates shall be reduced by:
    - One off-street parking space for each three kilowatts of capacity in solar panels or wind power that will be provided in a development;
    - One off-street parking space for each dedicated car-sharing parking space in a development. Dedicated car-sharing parking spaces shall count as spaces for parking mandates;
    - Two off-street parking spaces for every electric vehicle charging station provided in a development. Parking spaces that include electric vehicle charging while an automobile is parked shall count towards parking mandates;
    - One off-street parking space for every two units in a development above minimum requirements that are fully accessible to people with mobility disabilities;
- Any reductions above shall be cumulative and not capped.

Option 2A: Fair Parking Policy Approach

One of the two approaches available when choosing Option 2 is termed the “Fair Parking Policy Approach”. This approach requires the City to reduce parking mandates for certain types of development and in key areas. Some provisions included in this approach would require amendments beyond the land use code, and adoption of this approach would require staff to develop new enforcement tools and actions beyond which those currently in use.

A fair parking policy approach must include at least two of the following five provisions, including one provision from 1-3:

1. Require that parking spaces for each residential unit in developments with five or more leased or sold residential units on a lot or parcel be unbundled parking. The city may exempt townhouses from this requirement. Note: “unbundled parking”

means paying for parking separately from paying for the rent, lease or purchase of a residential or commercial unit, with the option to not use and pay for parking.

2. Require that parking spaces serving leased commercial developments be unbundled.
3. Require that employers of 50 or more employees who provide free or subsidized parking for their employees at the workplace provide a flexible commute benefit of $50 per month or the fair market value of that parking (whichever is greater) to employees eligible for that free or subsidized parking who regularly commute via other modes instead of using that parking.
4. Require a tax on revenue from commercial parking lots collecting no less than 10% of income, with revenues dedicated to improving transportation alternatives to drive-alone travel.
5. Require a reduction in parking mandates for new multi-unit housing to no higher than one-half space per unit, including visitor parking.

Option 2B: Reduced Regulation Parking Management

The second approach available for Option 2 is termed the "Reduced Regulation Parking Management". This approach requires repealing off-street parking minimums for an expanded list of uses, as well as implementing at least one pricing mechanism. This option would require the City implement all the following:

1. Repeal all parking mandates within one-half mile pedestrian travel of climate-friendly areas;
2. Repeal parking mandates for all the following:
    - Mixed-use developments;
    - Group quarters including but not limited to dormitories, religious group quarters, adult care facilities, retirement homes, and other congregate housing;
    - Studio apartments, one-bedroom apartments and condominiums in residential developments with five or more units on a lot or parcel;
    - Change of use of, or redevelopment of, buildings vacant for more than two years.
    - Provision of additional parking for change of use or redevelopment;
    - Expansion of existing business by less than 30 percent of a building footprint,
    - Buildings within a National Historic District, on the National Register of Historic Places, or on a local inventory of historic resources or buildings;
    - Commercial properties that have fewer than ten on-site employees or less that 3,000 square feet of floor space;
    - Developments built under Oregon Residential Reach Code;
    - Developments seeking certification under any Leadership in Energy and Environmental Design (LEED) rating system;
    - Schools;
    - Bars and taverns;

CFEC Parking Reform

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3. Implementation of at least one pricing mechanism, either:
   - Designation of at least one residential parking district or parking benefit district where on-street parking is managed through paid permits, meters, or other payments.
   - Requirements that parking for multi-unit housing be unbundled parking.

<table>
<tr><th>Option 1
OAR 660-012-0420</th><th colspan="2">Options 2A and 2B
OAR 660-012-0425 through 0450</th></tr>
<tr><td rowspan="5">Repeal parking mandates

No additional action needed</td><td colspan="2">Reduce parking burdens – reduced mandates based on shared parking, solar panels, electric vehicle (EV) charging, car sharing, parking space accessibility, on-street parking, garage parking. Must unbundle parking for multi-unit residential developments near transit. "Unbundled parking" requires that parking spaces be rented or sold separately from the dwelling unit itself. May not require garages/carports.</td></tr>
<tr><td colspan="2">Climate-friendly area parking – remove mandates in and near climate-friendly areas or adopt parking management policies.</td></tr>
<tr><td colspan="2">Adopt on-street parking prices for 5% of on-street parking spaces by September 30, 2023 and 10% of spaces by September 30, 2025.</td></tr>
<tr><td>Option 2A
enact at least two of five policies</td><td>Option 2B
all of the below</td></tr>
<tr><td>1. Unbundle parking for dwellings in multi-unit developments,
2. Unbundle leased commercial parking,
3. Flexible commute benefit for businesses with more than 50 employees,
4. Tax on parking lot revenue,
5. No more than ½ parking space per dwelling mandated for multi-unit developments.</td><td>No mandates for a variety of specific uses, small sites, vacant buildings, studios/one bedrooms, historic buildings, LEED or Oregon Reach Code developments, etc.

No additional parking for changes in use, redevelopments, expansions of over 30%.

Adopt parking maximums.

No mandates within ½ mile walking distance of Climate-Friendly Areas.

Unbundle parking or designate district to manage on-street residential parking.</td></tr>
</table>